



COMDTNOTE 7220
19 September 2001

COMMANDANT NOTICE 7220

CANCELLED: 18 SEP 2002

Subj: CH-1 TO U.S. COAST GUARD PAY MANUAL, COMDTINST M7220.29A

1. PURPOSE. This Notice publishes a change to the U.S. Coast Guard Pay Manual, COMDTINST M7220.29A. This Notice is for the use of all active and reserve Coast Guard members.
2. ACTION. Area and district commanders, commanders of maintenance and logistics commands, commanding officers of headquarters units, assistant commandants for directorates, Chief Counsel, and special staff offices at Headquarters shall ensure compliance with the provisions of this Notice. No paper distribution will be made of this Notice. Official distribution will be via the Coast Guard Directives System CD and DOT website <http://isddc.dot.gov>. An electronic version will also be made available via the Commandant (G-W) website.
3. SUMMARY. Enclosure (1) summarizes the substantial changes throughout the Manual provided as enclosure (2). Significant changes are marked in bold print.
4. Procedures: Remove and insert the following pages:

Remove

Pages i and ii

Page 2-i

Pages 2-1 and 2-2

Pages 2-7 and 2-8

Pages 2-13 through 2-24

Pages 3-13 through 3-20

Pages 3-53 and 3-54

Pages 3-69 and 3-72

Pages 3-77 and 3-78

Pages 3-85 and 3-88

Insert

Pages i and ii, CH-1

Page 2-i, CH-1

Pages 2-1 and 2-2, CH-1

Pages 2-7 and 2-8, CH-1

Pages 2-13 through 2-24, CH-1

Pages 3-13 through 3-20, CH-1

Pages 3-53 and 3-54, CH-1

Pages 3-69 and 3-72, CH-1

Pages 3-77 and 3-78, CH-1

Pages 3-85 and 3-88, CH-1

DISTRIBUTION – SDL No. 139

	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z
A	1	1	1		1	1		1																		
B		5	5		2	1			1							1	1	10	1	1			31			
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D		*		*																						
E		4																								
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NON-STANDARD DISTRIBUTION: See action paragraph.


19 September 2001

Remove

Pages 4-23 and 4-24
Pages 7-1 and 7-2
Pages 8-7 and 8-8
Pages 10-19 and 10-20
Pages 12-3 and 12-4
Pages I-1 and I-2
Page I-7

Insert

Pages 4-23 and 4-24
Pages 7-1 and 7-2, CH-1
Pages 8-7 and 8-8, CH-1
Pages 10-19 and 10-20, CH-1
Pages 12-3 and 12-4, CH-1
Pages I-1 and I-2, CH-1
Page I-7, CH-1


Thomas F. Fisher
Acting Director of
Personnel Management

Encl: (1) Summary of changes
(2) CH-1 to U.S. Coast Guard Pay Manual, COMDTINST M7220.29A

CH-1 TO COAST GUARD PAY MANUAL, COMDTINST M7220.29A**SUMMARY OF CHANGES**

Table of Figures.	Changes Figure 2-1 to read “Monthly Rates of Basic Pay – 1 July 2001”. Changes the page number of Figure 2-4 to read “2-20”.
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Chapter 2	
Table of Contents	Section J page number changed to 2-21.
Section 2-A-1.d.	Removes the term “Temporary Coast Guard Reserve” and replaces it with “Temporary Member of the Coast Guard Reserve”.
Figure 2-1	Incorporates new monthly rates of Basic Pay effective 1 July 2001.
Section 2-H-1.	Section rewritten to reflect DoD Financial Management Regulation.
Section 2-I-4.a.	Adds examples 1 and 2 when carryover of advance leave is authorized.
Section 2-I-4.b.	Adds examples 3, 4, 5, and 6 when advance leave becomes excess.
Section 2-I-5.c.	Clarifies policy when members do not accrue leave during periods of excess leave.
Section 2-J-1	Replaces “figure 2-4” with “figure 2-5”.
Section 2-J-1.a.(2).	Deleted. Section 2-J-1.a.(3) renumbered to read 2-J-1.a.(2).
Section 2-J-2	Replaces “who absent” with “who is absent”.
Section 2-J-3	Reworded to remove the phrase, “for the period of entitlement”.
Section 2-J-4.	Deleted policy section on “Absence Due to Disease”. Section 2-J-5 renumbered to read 2-J-4.
Section 2-J-4.a.(1)	Replaces “rule 10” with “rule 8”.
Section 2-J-4.a.(2)	Replaces “rule 10” with “rule 9”
Figure 2-5.	Rule 3 deleted. Rules 4 through rule 10 renumbered. Note 2, “rules 5 and 6” replaced with “rules 4 and 5”.

Chapter 3	
Section 3-C-2.	Added sentence, “BAH will consist of the following”.
Section 3-C-3.d.	Clarifies policy when a member is authorized to receive BAH-Partial.
Section 3-C-7.	Adds additional policy and an example under BAH-I Rate Protection.
Section 3-C-10.c.	Adds policy when BAH-II is paid to reserve member married to member.
Section 3-C-11.	Rewrite to reflect changes in policy and procedures.
Section 3-F-5.b.	Changes first sentence to read, “When support requirements are established in section 3-F-5.d., they will apply”.
Section 3-G-6.a.	Changes “3 continuous months” to read “90 days”.
Section 3-G-6.a.(2).	Changes “3 months” to read “90 days”.

Chapter 3	
Section 3-G-7.	Changes the title to read “Dependents Residing at or Near Duty Station”. Changes the first sentence to read, “FSA/FSH does not accrue to a member if all of the member’s dependents reside at or near the member’s duty station”.
Section 3-G-9.	Changes title to read “FSA/FSH”.
Section 3-G-9.a.	Changes “FSA” to read “FSA/FSH”.
Section 3-G-9.e.	Changes “rule 14” to read “rule 12”.
Figure 3-17.	Removes the lines in rule 2 under columns B and C. Rule 12 added providing policy guidance on a consecutive overseas PCS assignment..
Figure 3-18.	Changes column B in rule 2 to read, “continues through the day prior to departure”. Last sentence in note 3 changes “FSA” to read “FSH”.
Section 3-I-5.a.	Adds authority to Commander, Coast Guard Activities Asia, to approve the civilian clothing allowance for officers assigned to their command.

Chapter 4	
Figure 4-5	Inserts the number “1” in rule 1.

Chapter 7	
Section 7-A-2.	Replaces the second with the following: “Regular and reserve members on active duty for 140 days or more, and members receiving retired pay, may make allotments from their pay for any of the purposes and within the limitations in figure 7-1 and section 7-A-3 and 7-A-4”.

Chapter 8	
Section 8-D-1.	Replaces the second and third sentences with the following: “Refer any questions to Commandant (G-WPM) regarding nonresident aliens in the Coast Guard or attending the Coast Guard Academy”.

Chapter 10	
Section 10-J-1.a.	Adds Title to COMDTINST 1910.1 (series)
Section 10-J-3.	Adds policy sentence to read, “For SEP PAY purposes, a period of active duty is continuous if it is not interrupted by a break in service of more than 30 days”.

Chapter 12	
Section 12-D-4.	Adds Title to COMDTINST 1430.10 (series)
Section 12-F-1.	Corrects the second sentence to read, “See section 3-C-10 of this Manual”.

Index	
Page I-1	Page numbers changed to read 3-19 for Member ordered to Unusually Arduous Sea Duty Assignment and 3-20 for BAH-II.
Page I-7	Page numbers changed to read 2-21 for Withholding of Pay due to Unauthorized Absence and Other Lost Time

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CHAPTER 2
COMPUTATION OF SERVICE AND BASIC PAY

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CHAPTER 2. COMPUTATION OF SERVICE/BASIC PAY

A. Service Creditable.

1. Service Creditable. Under the authority of 37 U.S.C. 205, compute a member's cumulative years of service for the purpose of determining the member's rate of basic pay by adding all periods of active and inactive service as a commissioned officer, warrant officer, or enlisted member in any Regular or Reserve component of a Uniformed Service. This includes, but is not limited to the following:
 - a. Academy Teaching Staff. A person who is appointed as a professor, associate professor, assistant professor, or instructor may include any time served as a member of the civilian teaching staff at the Coast Guard Academy under the provisions of 14 U.S.C. 191.
 - b. Former Lighthouse Service. After 1 July 1948, include all service in the Lighthouse Service for members who were commissioned, appointed, or enlisted in the Coast Guard under the provisions of 14 U.S.C. 432 (28 Comp Gen 347).
 - c. Former Bureau of Marine Inspection and Navigation and Bureau of Customs. Include service in the former Bureau of Marine Inspection and Navigation (including its predecessors) and Bureau of Customs for members who were commissioned, appointed, or enlisted in the Coast Guard under the provisions of 14 U.S.C. 433.
 - d. **Temporary Member of the Coast Guard Reserve.** Include full time active duty performed as a **temporary member of the Coast Guard Reserve** (37 Comp Gen 838). Periods during which no duty was assigned or performed may not be counted (23 Comp Gen 164).
 - e. SPAR Broken Service. The provisions of 10 U.S.C. 1332 granted constructive service for the period 25 July 1947 to 1 November 1949 to a member who served on AD in the Coast Guard Women's Reserve at least 1 year prior to 25 July 1947 provided she was a member thereof for any period between 1 November 1949 and 1 July 1956. This constructive service may be included for pay accruing after 30 June 1962 (Public Law 87-482, 12 June 1962).
 - f. Aviation Cadet Service. Include active service in the appointive grade of aviation cadet and service as an enlisted aviation cadet on and after 4 August 1942 (31 Comp Gen 610 and 32 Comp Gen 473).
 - g. National Oceanic and Atmospheric Administration. Include service in the current grades of ensign and above and service as a deck officer or junior engineer. This includes periods served in the former Environmental Science Services Administration or Coast and Geodetic Survey. It does not include service as a ship keeper, seaman, fireman, oiler, etc., under "shipping articles" (24 Comp Gen 829 and 25 Comp Gen 680).
 - h. Cadet and Midshipmen Service. Cadet or midshipman service is creditable in computing pay of enlisted members only (29 Comp Gen 331, 31 Comp Gen 528 and 10 U.S.C. 971, 37 U.S.C. 205(6)). In addition, an enlisted member who was appointed Midshipman, Merchant Marine Reserve, U.S. Naval Reserve, may count such service, which was served concurrently with inactive service in the Naval Reserve (38 Comp Gen 797).

- i. Service Attained Prior to Statutory Enlistment Age. Any service which is otherwise creditable may be counted even if the service was performed before a member attained the statutory age for enlistment. Such service may not be counted if it is determined to be fraudulent and is voided for that reason.
 - j. Pay Grades 01-E, 02-E and 03-E. A commissioned officer in pay grade 01, 02, or 03, is entitled to the special rate of pay for 01-E, 02-E, or 03-E, if the officer has had over 4 years of active service as a warrant officer or an enlisted member (combination of the two may be used after 30 Sep 83). In computing active enlisted service, include active duty for training (ADT) as an enlisted member (38 Comp Gen 68). Do not count active service in a dual status (temporary officer - permanent enlisted) (38 Comp Gen 68).
 - k. Service on the Retired List. A retired member who is recalled to active duty may count inactive service on a retired list of any of the Uniformed Services; however, this only applies for longevity purposes. This includes the temporary disability retired list.
 - l. Retention for Medical Care. Any period on and after 12 December 1941 when an enlisted member of the Armed Forces is retained in service, after expiration of term of service, for medical treatment or hospitalization for disease or injury incident to service and not due to the member's misconduct (10 U.S.C. 507).
 - m. Delayed Entry Program.
 - (1) On and before 31 December 1984, time served as a member of a Reserve component under a delayed entry program prior to entry on active duty or ADT.
 - (2) On and after 29 November 1989, when a member performs inactive-duty training before beginning service on active-duty or active duty for training and is a member of a Reserve component under an enlistment under 10 U.S.C. 511 (b) or (d).
 - (3) On and after 29 November 1989, while a member of a Reserve Component under an enlistment under 10 U.S.C. 513, those periods of active service performed before the member is ordered to active duty under 10 U.S.C. Chapter 39 or another provision of law.
 - n. Making Up Lost Time. After returning to full duty, an enlisted member is liable to make up time lost. The time served to make up lost time is creditable service. If a member is retained, for trial or to serve sentence, beyond the normal expiration of enlistment and is not restored to a full duty status, this does not count as making up time last and is not creditable.
2. Prior Service. If a member claims prior service, submit a request for statement of creditable service to HRSIC as prescribed in section 5-C-3, Personnel and Pay Procedures Manual, HRSICINST M1000.2 (series).

**MONTHLY RATES OF BASIC PAY
EFFECTIVE 1 JULY 2001 (SEE NOTES)**

PAY GRADE	Cumulative Years of Service														
	<2	2	3	4	6	8	10	12	14	16	18	20	22	24	26
COMMISSIONED OFFICERS															
O-10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10356.00	11049.30	11103.90	11334.60	11737.20
O-9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9156.90	9664.20	9803.40	10004.70	10356.00
O-8	6838.20	7062.30	7210.50	7252.20	7437.30	7747.80	7819.80	8114.10	8198.70	8451.60	8818.50	9156.90	9382.80	9382.80	9382.80
O-7	5682.30	6068.40	6068.40	6112.50	6340.80	6514.50	6715.50	6915.90	7116.90	7747.80	8280.90	8280.90	8280.90	8280.90	8322.60
O-6	4211.40	4626.60	4930.20	4930.20	4949.10	5160.90	5189.10	5189.10	5360.70	6005.40	6311.40	6617.40	6791.40	6967.80	7309.80
O-5	3368.70	3954.90	4228.80	4280.40	4450.50	4450.50	4584.30	4831.80	5155.80	5481.60	5637.00	5790.30	5964.60	5964.60	5964.60
O-4	2839.20	3457.20	3687.90	3739.50	3953.40	4127.70	4409.70	4629.30	4781.70	4935.00	4986.60	4986.60	4986.60	4986.60	4986.60
O-3	2638.20	2991.00	3228.00	3489.30	3656.40	3839.70	3992.70	4189.80	4292.10	4292.10	4292.10	4292.10	4292.10	4292.10	4292.10
O-2	2301.00	2620.80	3018.60	3120.30	3184.80	3184.80	3184.80	3184.80	3184.80	3184.80	3184.80	3184.80	3184.80	3184.80	3184.80
O-1	1997.70	2079.00	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80	2512.80
COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER															
O-3E	0.00	0.00	0.00	3489.30	3656.40	3839.70	3992.70	4189.80	4355.70	4450.50	4580.40	4580.40	4580.40	4580.40	4580.40
O-2E	0.00	0.00	0.00	3120.30	3184.80	3285.90	3457.20	3589.50	3687.90	3687.90	3687.90	3687.90	3687.90	3687.90	3687.90
O-1E	0.00	0.00	0.00	2512.80	2684.10	2783.10	2884.20	2984.10	3120.30	3120.30	3120.30	3120.30	3120.30	3120.30	3120.30
WARRANT OFFICERS															
W-4	2688.00	2891.70	2974.80	3056.70	3197.40	3336.30	3477.00	3614.10	3756.30	3892.50	4032.00	4168.20	4309.50	4448.40	4590.90
W-3	2443.20	2649.90	2649.90	2684.10	2793.90	2919.00	3084.30	3184.80	3294.60	3420.30	3545.10	3669.90	3794.70	3919.80	4045.20
W-2	2139.60	2315.10	2315.10	2391.00	2512.80	2649.90	2750.70	2851.50	2949.60	3058.20	3169.50	3280.80	3391.80	3503.40	3503.40
W-1	1782.60	2043.90	2043.90	2214.60	2315.10	2419.20	2523.30	2626.80	2731.50	2835.90	2940.00	3018.60	3018.60	3018.60	3018.60
ENLISTED MEMBERS															
E-9	0.00	0.00	0.00	0.00	0.00	0.00	3126.90	3197.40	3287.10	3392.40	3498.00	3601.80	3742.80	3882.60	4060.80
E-8	0.00	0.00	0.00	0.00	0.00	2622.00	2697.90	2768.40	2853.30	2945.10	3041.10	3138.00	3278.10	3417.30	3612.60
E-7	1831.20	1999.20	2075.10	2149.80	2228.10	2362.20	2437.80	2512.80	2588.10	2666.10	2742.00	2817.90	2949.60	3034.80	3250.50
E-6	1575.00	1740.30	1817.40	1891.80	1969.80	2097.30	2174.10	2248.80	2325.00	2379.60	2421.30	2421.30	2421.30	2421.30	2421.30
E-5	1381.80	1549.20	1623.90	1701.00	1779.30	1888.50	1962.90	2040.30	2040.30	2040.30	2040.30	2040.30	2040.30	2040.30	2040.30
E-4	1288.80	1423.80	1500.60	1576.20	1653.00	1653.00	1653.00	1653.00	1653.00	1653.00	1653.00	1653.00	1653.00	1653.00	1653.00
E-3	1214.70	1307.10	1383.60	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40	1385.40
E-2	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10	1169.10
E-1 >4	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80	1042.80
E-1 <4	964.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Notes:

1. Monthly basic pay for O-7 – O-10 is limited to \$11,141.70, the rate payable for Level III of the Executive Schedule.
2. Monthly basic pay for O-6 and below is limited to \$9,800.10, the rate payable for Level V of the Executive Schedule.
3. While serving as the Master Chief Petty Officer of the Coast Guard, the monthly basic pay is \$4,893.60, regardless of years of service. This pay rate is payable for up to a maximum of 60 days while on terminal leave pending retirement.

FIGURE 2-1

E. Commencement of Active Duty Pay.

1. When Entitled to Basic Pay. The pay of service members is prescribed by 37 U.S.C. 1009 and implemented by Executive Order. Members are entitled to receive pay according to their pay-grades and years' service when they are on active duty in a pay status and not prohibited by law from receiving such pay. The pay grade to which a member is assigned is prescribed by 37 U.S.C. 201. A cadet at the Coast Guard Academy is entitled to a rate of pay as authorized in chapter 15.
2. Employment of Members in Another Capacity. Unless otherwise provided by law, a member may not be employed in another capacity by the Government, and receive pay, other than the pay and allowances which accrue by reason of the member's military status. However, the member may be employed on a voluntary basis during off-duty hours in connection with non-appropriated fund activities. Refer to 5 U.S.C. 5536 and 46 Comp Gen 400 (1966).
3. Original Appointment of Officers. Pay and allowances accrue from the date of acceptance of appointment as a permanent or temporary officer. The normal method of acceptance is taking the oath of office. Commencement of travel in compliance with an order is considered acceptance for pay purposes. However, do not make payment until formal signing of the oath of office. Refer to 60 Comp Gen 143 (1980). Refer to figure 2-2 for specifics and for Coast Guard Academy graduates.
4. Enlisted Members. Commence pay and allowances of the rate in which an enlisted member enlists or reenlists in the Regular Coast Guard with the date of enlistment or reenlistment.
5. Reserve Members. Instructions governing commencement of pay and allowances of Reserve members while on active duty are in section 2-K-2. For Reserve members performing active duty and inactive duty for training (IDT), see chapter 12.
6. Recalled Retired Members. Commence active duty pay for a recalled retired member as prescribed in section 2-K. Payment restrictions are: A retired member who is drawing a pension, disability compensation, etc., by virtue of the member's own service may not receive compensation (including allowances for subsistence, quarters, and travel) for performance of active duty until the member has executed the Waiver of Pension/Disability Compensation or Retired Pay.
7. Promotions. Effective date of pay for the grade to which a member is advanced is contained in figure 2-3.

G. Continuation of Pay Under Special Circumstances.

1. Recalled to Active Duty. Officers and enlisted members recalled to AD by orders of competent authority after retirement are entitled to AD pay until the date of actual release from AD.
2. Retirement Orders Received Subsequent to Effective Date. Officers and enlisted members are entitled to active duty pay and allowances to and including the date of actual receipt or knowledge of retirement orders.
3. Retained for Convenience of the Government. If an enlisted member is retained for the convenience of the Government beyond the term of enlistment or beyond the expiration of obligated service, the member is entitled to pay and allowances for the period of retention. A member retained under any of the following conditions is considered to have been retained for the convenience of the Government, see Chapter 12, Personnel Manual, COMDTINST M1000.6 (series).
 - a. Hospitalization With Member's Consent. Enlistment expires while the member is suffering from a disease or injury incident to service (not because of misconduct) and is in need of medical care or hospitalization. An enlisted member so retained is entitled to receive pay and allowances until recovered to such an extent as would enable the member to meet the physical requirements for reenlistment or until it is determined that the disease or injury is of a character that recovery to such an extent would be impossible, whichever is earlier. If medical care or hospitalization was due to member's misconduct, pay and allowances terminate on date of expiration of term of service.
 - b. Services Essential to Public Interest. The member's services are considered essential to the public interest. Basic pay and allowances accrue to the member for the period plus a 25 percent increase in basic pay as provided in section 2-L.
 - c. Court-Martial Action. The enlisted member is awaiting trial, undergoing trial, or awaiting the results of a trial, and is acquitted. Pay and allowances accrue until the member is separated from the Service.
 - d. Detained in Time of War or National Emergency. If a member is detained beyond the time of enlistment under the provisions of 14 U.S.C. 367, entitlement to pay and allowances continues without regard to the fact that the member may be in a status such as awaiting trial by court martial.

H. Saved Pay.

1. Authority. The statutory authority for saved pay is 14 U.S.C. 214(d) and 37 U.S.C. §907.
 - a. Warrant Officers. A warrant officer who accepts an appointment as a commissioned officer shall, following appointment, be paid the greater of:
 - (1) The pay and allowances to which the member thereafter becomes entitled as a commissioned officer; or
 - (2) The pay and allowances to which such member would be entitled if the member had remained in the last warrant officer grade held before appointment as a commissioned officer, and continued to receive increases in pay and allowances authorized for that grade.
 - (3) If a warrant officer previously held an enlisted grade, and is entitled to saved pay for that enlisted grade, the member is entitled to pay and allowances as prescribed in 2-H-1.b. below.
 - b. Enlisted Members. An enlisted member who accepts an appointment as an officer or warrant officer shall, following appointment, be paid the greater of:
 - (1) The pay and allowances to which such member would be entitled if the member had remained in the last enlisted grade held before appointment as an officer or warrant officer, and continued to receive increases in pay and allowances authorized for that grade; or
 - (2) The pay and allowances to which the member thereafter becomes entitled as an officer or warrant officer.
 - c. Licensed Officers of the U.S. Merchant Marine. A licensed officer of the U.S. merchant marine who accepts an appointment as a temporary commissioned officer in the Regular Coast Guard in a grade not above lieutenant shall, following appointment, be paid the greater of:
 - (1) The pay and allowances to which such member who have been entitled had the member remained in the former grade and continued to receive the increases in pay and allowances authorized for that grade; or
 - (2) The pay and allowances to which the member thereafter becomes entitled as a Regular Coast Guard officer.
 - d. Prior Service Members. A prior service enlisted member or warrant officer of another service who is appointed as an officer in the Coast Guard or Coast Guard Reserve is entitled to saved pay under the provisions of 2-H-1.a. or 2-H-1.b. Prior service members who take a reduction in pay grade upon entry into the Coast Guard are not protected under saved pay provisions.

2. Items Included in Computation. The following items of pay and allowances are for inclusion in computation of saved pay:
 - a. Basic pay.
 - b. Basic allowance for housing (BAH).
 - c. Basic allowance for subsistence (BAS).
 - d. Special pay for diving duty.
 - e. Career sea pay (CSEAPAY), career sea pay premium (CSEAPAY PREM) and hardship duty pay-location (HDP).
 - f. Imminent Danger Pay (IDP).
 - g. Incentive pay (aviation) for the performance of hazardous duty.
 - h. Family separation allowance (FSA), and Family separation housing (FSH). Refer to 46 Comp Gen 57 (1966).
 - i. Station allowances.
 - j. Special duty assignment pay to which entitled had the member not been appointed as an officer. Refer to 48 Comp Gen 12 (1968).
 - k. Cash clothing allowances (initial or maintenance) except when an officer is eligible for payment of a uniform allowance.
3. Restrictions. Saved pay is governed by the following restrictions. Refer to 45 Comp Gen 763 (1966).
 - a. A member entitled to saved pay is not authorized the basic pay for one grade and allowances for another.
 - b. The saved pay amount shall be reduced when a member loses entitlement to specific items shown in sections 2-H-2.d. through 2-H-2.g. However, these specific items shall again be included in saved pay if the member later qualifies for such items. Refer to 46 Comp Gen 57 (1966).
 - c. A member is not entitled to an increase in saved pay because of promotion to a higher permanent grade (in the case of a temporary officer).
 - d. BAH and quarters-in-kind are regarded as alternatives. BAH may be continued as an item of saved pay and will be paid whenever it is not forfeited because the member is assigned to Government quarters.

- e. BAS is an alternative to subsistence-in-kind. Since officers are not authorized subsistence-in-kind, a member on saved pay is entitled to BAS (including SEPRATS), depending on whether a Government mess is available for the enlisted members at the current duty station. SEPRATS will be credited without regard to approval to mess separately during periods of sea duty and other times that a mess is available for enlisted members.
 - f. Family Separation Housing (FSH) may be continued as an item of saved pay under the same conditions as BAH. If the member was entitled to Family Separation Allowance (FSA) due to enforced separation at the time of appointment, the allowance may be included in the computation of saved pay until entitlement ends. FSA may be reinstated as an item of saved pay for future periods during which the member again qualifies. Refer to 46 Comp Gen 57 (1966). Other items of special or incentive pay may be reinstated if a member again qualifies for them.
 - g. Special duty assignment pay, incentive pay for hazardous duty, special pay for diving duty, imminent danger pay, career sea pay, career sea pay premium and hardship duty pay – location, may be retained as items of saved pay only as long as the member continues to perform the duty and would be eligible to receive payment by remaining in the former status (48 Comp Gen 12).
 - h. A break in service (release from active duty or discharge) does not disqualify a member for the saved pay and allowance entitlements of this section.
4. Determination Required. The Human Resources Service and Information Center will determine whether the pay and allowances of the grade to which appointed equals or exceeds the pay and allowances of the former grade. In cases where the pay and allowances for the former grade exceed the pay and allowances of the new grade, the member is placed into a saved pay status. When the member is transferred to or from sea or overseas duty, completes an additional period of service, is affected by a statutory pay increase or other change which affects pay and allowances, pay will be recomputed and, if required, saved pay changes to the pay for the member's current grade.

I. Pay Entitlement for Authorized Leave and Authorized Absence.

- 1. Authority. 10 U.S.C. 701-704 contains the authority for granting leave accruing to members of the Armed Forces. Detailed regulations which contain authority for payment of unused accrued leave are prescribed in Chapter 7, Personnel Manual, COMDTINST M1000.6 (series).
- 2. Entitlement During Leave Periods. A member is entitled to proper credit of full pay and allowances during periods of leave except as provided in figure 2-4.
- 3. Definition of Full Pay and Allowances. The term "full pay and allowances" for the purpose of this section means:
 - a. Basic pay.
 - b. Special pays.
 - c. Incentive pay for hazardous duty.

- d. Basic allowances for housing (BAH) and subsistence (leave rations for enlisted members).
 - e. Personal money allowance.
 - f. Clothing maintenance allowances.
 - g. Family separation allowance and family separation housing.
 - h. Station allowances
4. Determination of Excess Leave and Authorization to Carry-Over Advance Leave; Effective 14 November 1986.

- a. When Carryover of Advance Leave is Authorized. Members may elect to carry all or part of an advance leave balance over to a new term of service when discharged for the purpose of:

- (1) Reenlistment within 24 hours of discharge or extension of any enlistment.
- (2) Accepting an appointment as a warrant or commissioned officer of the Armed Forces.

Carry-over shall not exceed the number of days or fraction of days the member will accrue in the new enlistment or term of service or 30 days, whichever is less.

Example 1: A member's current term of service ends 30 April 2001. The member reenlists for six years on 1 March 2001, and has a 5.0 advance leave balance. The 5.0 advance leave balance can be carried forward into the new term of service.

Example 2: A member's current term of service ends 30 September 2001. On 1 May 2001, the member executes an agreement to extend their enlistment for 12 months. The member has a 12.5 day advance leave balance on 1 May 2001, which will be offset by leave accrual through 30 September 2001. Between 1 May 2001 and 30 September 2001, the member is charged for 30 additional days of leave. When the extension becomes operative on 1 October 2001, the member may carry the 30.0 day advance leave balance into the term of service.

- b. When Advance Leave Becomes Excess. Advance leave becomes excess leave and requires collection of pay and allowances under the following conditions:
 - (1) Discharge for the purpose of reenlisting, extension of enlistment, or accepting an appointment as a warrant or commissioned officer. Only the amount of advance leave over 30 days becomes excess.
 - (2) When the advance leave balance exceeds that which will accrue in the new enlistment or term of service (e.g., enlistment or extension(s)) including when an agreement to extend is cancelled by the service. If an agreement to extend is cancelled by the member for the purpose of immediate reenlistment, collect under section 2-I-4.b.(1) above, if applicable.
 - (3) Relief from active duty.
 - (4) Appointment as a cadet or midshipman at a Service academy.

- (5) Death.
- (6) Return from a period of leave which was in excess of the number of days leave and fractions thereof member will accrue prior to the normal expiration of current enlistment or term of active service. The term of an extension(s) will be considered when determining the normal expiration of current enlistment or term of active service. Extensions(s) will be considered from the date the member agrees to the extensions(s). Excess leave properly charged prior to the date a member extends a term of service (reenlistment, appointment, or agrees to extend voluntary or is involuntarily extended) will not be affected, and under no circumstances will pay and allowances previously collected be refunded. (See section 2-I-6 when it is known at the time that leave is granted that the member will be in an excess leave status).

Example 3: A member's current term of service ends on 31 October 2001. The member has a leave balance of 0.0 days on 31 August 2001. The member takes 7 days leave for the period 5 September 2001 through 11 September 2001. Since the member will only earn 5.0 days leave during September and October 2001, the member will be charged for 2.0 days excess leave (10-11 September 2001).

Example 4: A member's current term of service ends on 31 August 2001. The member has a leave balance of 2.0 days on 31 March 2001. The member takes 20 days leave during the period 10 April 2001 through 29 April 2001. On 1 May 2001, the member executes an agreement to extend his/her enlistment for 36 months. The member will be charged with 5.5 days of excess leave. Had the member executed the agreement to extend enlistment prior to the 10-29 April 2001 leave, the member would not be charged excess leave because members are authorized to carry over up to 30 days advance leave into an extension of enlistment.

Example 5: A member's current term of service ends on 31 March 2001. The member reenlists for six years on 1 January 2000, and has a 35.5 day advance leave balance at that time. The member may carry 30.0 days of advance leave into the new term of service. The remaining 5.5 day advance leave balance is considered excess leave.

Example 6: A member's current term of service ends on 30 September 2001. On 1 May 2001, the member executes an agreement to extend his/her enlistment for 12 months. The member has a 12.5 day advance leave balance on 1 May 2001, which will be offset by leave accrual through 30 September 2001. Between 1 May 2001 and 30 September 2001, the member is charged for 34 additional days of leave. Since a member is only authorized to have 30 days advance leave carried forward into the extension, the member will be charged with 4.0 days of excess leave.

5. Amounts to be Collected.

- a. Collection is computed on the basis of pay and allowances actually received by the member during the period of leave involved.
- b. However, BAH shall continue to be paid to a member with dependents in pay grade E-4 (4 years or less service) or below, for a period not to exceed two months during an excess leave status, unless it is anticipated that the member will not return to duty (e.g., in an appellate leave status). The two-month period shall be computed from the first day of excess leave.
- c. **As prescribed in articles 7.A.11 and 7.A.19, Coast Guard Personnel Manual, COMDTINST M1000.6 (series), members do not accrue leave during periods of excess leave. Computation of the number of days in an excess leave status must account for this nonaccrual, which will increase the total number of days for which pay and allowances must be collected; this in turn may result in a total that includes a half-day fraction. Pay and allowances shall be collected for this total number of days, including any half-day fraction. See pages 21-C-7 through 21-C-12, SDAII User Manual, HRSICINST M5231.2 (series), for examples of leave non-accrual.**

6. Pay and Allowances During Excess Leave. Members on excess leave are not entitled to pay and allowances, except as noted in section 2-I-5, as follows:

- a. When the complete period of leave is granted as excess leave, pay and allowance accrual will be stopped beginning with the first day of leave.
- b. When a portion of the leave is granted as advance leave and a portion granted as excess leave, pay and allowance accrual will be stopped beginning with the first day of excess leave. Members in an excess leave status are considered to have a rate of pay.

AUTHORIZED ABSENCE – AFFECT ON PAY AND ALLOWANCES

R U L E	A	B	C	D
	When a member is absent from duty	and	then the member	and the period of absence is
1	on authorized leave	such leave is: a. regular accrued leave b. emergency leave c. delay enroute	is entitled to otherwise proper credit of full pay and allowances during the period of absence	charged as leave.
2		in advance of that accrued		charged against leave as it accrues (note 1)
3		such leave is: a. Academy graduation leave b. sick or convalescent c. compensatory absence d. liberty e. proceed time		not chargeable against leave.
4	at home in an awaiting orders status pending final action on the physical evaluation board proceedings	leave was not specifically granted in the member's orders	is entitled to pay and allowances as follows: a. Basic pay b. BAS – officers and enlisted members (note 4) c. BAH (note 2) d. Clothing maintenance allowance	chargeable to leave to the extent possible. (note 3)
5	on excess leave		not entitled to pay and allowances except BAH under section 2-I-5 (note 5)	not chargeable as leave.

Notes:

1. Refer to section 2-I-5 for collection requirements when advance leave is changed to excess leave.
2. Members without dependents are entitled to BAH in accordance with chapter 3.
3. Excess leave which may result during such absence is not charged. However, a negative leave balance which existed prior to the member being ordered home awaiting orders status continues until separation or retirement, at which time it shall be collected as excess leave.
4. Enlisted members are entitled to BAS at the SEPRATS rate.
5. A member separating effective 1 March whose separation leave period through 28 February (or through 29 February during leap year) results in excess leave, is not entitled to pay and allowances for 29 and 30 February (or for 30 February during leap year). These days are not considered days of excess leave, however, the member is considered to be in a non-pay status through 30 February, (5 Comp Gen 935). See computation of pay in Chapter 21, Source Data Automation II User Manual, HRSICINST M5231.2 (series).

FIGURE 2-4

J. Withholding Pay for Unauthorized Absence and Other Lost Time.

1. Effect on Pay and Allowances. The types of unauthorized absence and other lost time and their effect on pay and allowances are shown in **figure 2-5**. Forfeitures of pay and allowances will be computed as follows:
 - a. When Pay Stops. Check 1 day's pay for each full day of absence. Unauthorized absence of 24 consecutive hours or less does not affect pay or allowances. This applies even though the absence involves parts of 2 days. Begin checkage on the day members absent themselves without authority. This includes:
 - (1) The day leave, liberty, or authorized travel time expires, if hour of expiration is prior to 2400. When the hour of expiration is 2400, begin checkage on the following day.
 - (2) The day taken into custody by civil authorities.

Exception: If a member is held in civil custody while on authorized leave the member is entitled to pay and allowances until the leave expires.
 - b. When Pay Resumes. A member is entitled to pay and allowances on the day of return to Armed Forces jurisdiction or to a duty status, as appropriate. Entitlement accrues even though the member is not immediately returned to the member's regular duty station.
2. Unauthorized Absence and Desertion. A member **who is absent** from duty without authority is considered absent without leave. It is the commanding officer's determination whether the member's status is termed absent without leave (AWOL), absent over leave, or desertion.
 - a. Determination by Court-Martial Sentence. A member found guilty of unauthorized absence by a court-martial forfeits pay and allowances for the period of absence. BAH for members (with dependents) serving in pay grades E-1 through E-4 (4 years' or less service) may be paid (to and for the support of dependents) for a maximum period of 2 months as prescribed in section 3-F-18. An acquittal (or disapproval by the reviewing authority, in the case of conviction) affects only the disciplinary aspects of the absence. It does not prevent an administrative determination that the member was AWOL.
 - b. Administrative Determination of Unauthorized Absence. When a member is in an unauthorized absence status, an administrative determination must be made as to whether the absence was unavoidable. Chapter 7, Personnel Manual, COMDTINST M1000.6 (series) and figure 2-4 contain rules for determining whether the absence was unavoidable. If it is not excused as unavoidable, the member (including one mentally competent) forfeits pay and allowances for the period of absence, except BAH under 2-J-2.a. This applies even though a court-martial finds the member not guilty of a charge of unauthorized absence, or when a finding of guilty has been disapproved by the reviewing authority (48 Comp Gen 792).

- c. Discharge for Desertion. A discharge for desertion is conclusive evidence of desertion for purposes of forfeiture of pay, even in the absence of trial by court-martial.
- 3. Absence in Custody of Civil Authorities. **For entitlement to pay and allowances for the period of absence, see rules 4, 5, and 6 of figure 2-5.**
 - a. Pay Earned Prior to Arrest. The member may be paid all pay and allowances earned before the date of arrest and confinement if authorized by the commanding officer.
 - b. Member Released on Bail. When a member is released on bail, withhold pay and allowances for the period member was in custody pending final action by civil authorities.
 - c. Member on Leave. If a member is held by civil authorities while on authorized leave, member is entitled to pay and allowances until leave expires, even though member is convicted of an offense.
 - d. Civil Confinement Term. Personnel convicted and sentenced to a term of civil confinement who are released from the confinement facility during the normal workday under a Work Release Program are entitled to pay and allowances for each day of full duty performed commensurate with their grade and military specialty.
- 4. Military Confinement.
 - a. Pay and allowances accrue to a member in military confinement except:
 - (1) When confined by military authorities for civil authorities. Refer to section 6-C and **rule 8** of figure 2-5.
 - (2) When pay and allowances are forfeited by court-martial sentence. Refer to section 6-C and **rule 9** of figure 2-5.
 - (3) See figures 3-2, 3-6, 4-3, 4-5, and 4-6, for entitlement to special pay and allowances during confinement.
 - b. Confined Awaiting Trial When Enlistment Expires. Pay and allowances end on date enlistment expires. If member is acquitted when tried, pay and allowances accrue until member is discharged. Refer to 30 Comp Gen 449.
 - c. Serving Court-Martial Sentence When Enlistment Expires. Pay and allowances end on date the enlistment expires. They will not accrue again until the date member is restored to a full duty status unless the sentence is completely overturned or set aside (11 Comp Gen 342).
 - d. Return to Military Control After Enlistment Expired. An absentee who surrenders or is apprehended after the term of enlistment has expired is not entitled to pay and allowances until the member is restored to a full duty status. This also applies whether retained solely for trial or discharge, whether trial is barred by the statute of limitations, or whether the member will later be returned to duty (9 Comp Gen 323, MS Comp Gen B-23804, 21 February 1942 and B-113109, 30 January 1953).

- e. Confined While In a Status of Being Held In Service To Make Up Lost Time. An enlisted member continues in a pay status, except to the extent that the member's pay may be forfeited by court-martial. This pay status terminates if in confinement on the date the member's normal term of service, as extended to make up lost time, would have expired, even if restored to duty at a later date (Gen 488 and 47 Comp Gen 487).
- f. Confinement Deferred or Prisoner Restored to Duty. A prisoner in a non-pay status is entitled to pay and allowances when service of sentence to confinement is deferred or member is restored to a full duty status. Refer to paragraph 88f of MCM 1984.
- g. Absentee Term of Enlistment Expires. An enlisted member, whose enlistment expires while AWOL, is not entitled to pay and allowances upon return to military control for the period member was confined while awaiting trial and disposition of the case, if member's conviction becomes final and return to full duty has never been effected. Pay and allowances will accrue if the member is returned to full duty upon return to military control for the purpose of making good lost time (37 Comp Gen 380, 9 Comp Gen 323, and 3 Comp Gen 676).
- h. Absentee Returns Prior to Enlistment Expiration. The pay and allowances of an absentee who surrenders or who is apprehended before the expiration of the enlistment period will accrue from the date of return to military control.
- i. Enlistment Expires Before Trial. An enlisted member retained in service (not in confinement) for the purpose of trial by court-martial is not entitled to pay for any period after expiration of enlistment unless acquitted or charges are dismissed, or the member is retained in or restored to a full duty status (MS Comp Gen B-131446, 26 June 1957).
- j. Member in Correctional Custody. Pay and allowances accrue to a member in correctional custody imposed by nonjudicial punishment; correctional custody is not considered confinement.

UNAUTHORIZED ABSENCE AND OTHER LOST TIME – EFFECT ON PAY AND ALLOWANCES

R U L E	A	B	C
	When a member is absent from duty	and	member
1	without authority (AWOL), over leave or liberty, excess travel enroute	the absence has been excused as unavoidable	is entitled to otherwise proper credits of pay and allowances. (40 Comp Gen 366) (note 1)
2		the absence was not excused as unavoidable	is not entitled to pay and allowances except BAH under section 3-F-18.
3	in confinement by civil authorities or by military authorities for civil authorities	member is being detained as a witness before a civil court	is entitled to otherwise proper credits of pay and allowances
4		the absence was excused as unavoidable	
5		the absence was not excused as unavoidable	is not entitled to pay and allowances, except for that part of the period that is covered by authorized leave and BAH under section 3-F-18.
6	in confinement by military authorities for a foreign civil offense (note 2)	indictment by the foreign country is pending	is entitled to otherwise proper credit of pay and allowances for period before the date member is charged or indicted by the foreign country.
7		has been charged or indicted by the foreign country	is not entitled to pay and allowances, except for that part of the period that is covered by authorized leave and BAH under section 3-F-18. (36 Comp Gen 173) (note 3)
8	in military confinement (other than for civil authorities)	is awaiting trial by court-martial or serving a sentence of confinement which did not include a forfeiture of pay	is entitled to otherwise proper credits of pay and allowances
9		is serving a court-martial sentence which includes a forfeiture of pay and allowances	is entitled to pay and allowances accruing before the date the sentence was approved by the convening authority and to any unforfeited pay and allowances accruing after the date.
10	as a deserter	was found guilty of desertion by a court-martial or was administratively discharged for desertion	forfeits all pay and allowances including that due on the first day of desertion. (note 4)

Notes:

1. Enlisted members are entitled to subsistence at the rate prescribed when permission to ration separately (SEPRATS) is granted unless they were subsisted at Government expense.
2. Use this rule only in cases where the foreign country has jurisdiction under the terms of a treaty or other agreement with the United States. Otherwise, use **rules 4 and 5**.
3. Should the absence be excused as unavoidable, the member is entitled to full pay and allowances.
4. Pay and allowances due on date of desertion will be used to satisfy debts due the United States and its instrumentalities.

FIGURE 2-5

MEAL COLLECTION RATES
(EFFECTIVE 1 OCTOBER 2000) (NOTES 1 and 4)

R U L E	A	B	C	D
	When a member receiving full BAS also receives subsistence	Then the daily collection rate for that meal for an enlisted member in pay grade E-1 less than 4 months active service is	And the daily collection rate for that meal for an enlisted member in pay grade E-1 through E-9 greater than 4 months active service is	And the daily collection rate for that meal for an officer is (note 4)
1	From an appropriated fund dining facility at the discount meal rate (note 2)	\$6.60	\$6.60	\$6.60
2	From an appropriated fund dining facility at the standard meal rate (note 3)	\$8.00	\$8.00	\$8.00

Notes:

1. These rates will be charged members who are in receipt of full BAS (SEPRATS, REG BAS, SPEC BAS, or Officer BAS) who are furnished government subsistence. Members shall normally pay for meals at the servicing Coast Guard Dining Facility. In the event that the member does not pay for meals at the Dining Facility, the Dining Facility must issue a PAA to HRSIC for pay checkage.
2. The discount meal rate applies to meals and rations provided through an appropriated fund (APF) dining facility to a member on full BAS (not entitled to per diem for subsistence) who is performing duty on a U.S. Government vessel, on sea duty, on a U.S. Government aircraft, on maneuvers, war games, field exercises, or similar operations for 181 days or less, on field duty, in a group travel status, or under essential unit messing. The discount meal rate also applies to meals and rations provided through an APF dining facility to a member assigned to joint task force operations (for other than training) at temporary U.S. Installations, or through a temporary dining facility.
3. The standard meal rate applies to meals and rations provided through an APF dining facility to any member not authorized the discount meal rate. This includes any member entitled to per diem for subsistence, except those on joint task force operations as described in note 2.
4. Charges for all meals provided under rules 1-2 above may be prorated for unavoidably missed meals or skipped meals authorized under local regulations established at the following rates:
 - a. Breakfast = 20% of daily rate
 - b. Lunch = 40% of daily rate
 - c. Supper = 40% of daily rate

FIGURE 3-5

C. Basic Allowance for Housing (BAH).

1. Authority for Payment. Under the provisions of 37 U.S.C. 403, effective 1 January 1998, in general, BAH provides to members a monthly allowance for housing. BAH is payable to members on active duty and will vary according to the grade in which serving or appointed for basic pay purposes, dependency status, and the permanent duty station (PDS) assigned. This allowance is authorized for members both “with” and “without” dependents. Applicable BAH rates are available at web site: www.dtic.mil/perdiem/bah.
2. Basic Allowance for Housing Definitions. **BAH will consist of the following:**
 - a. **BAH-I** - BAH-I consists of the former allowances known as Basic Allowance for Quarters (BAQ) and Variable Housing Allowance (VHA).
 - b. **BAH-II** – BAH-II is the equivalent to what used to be Basic Allowance for Quarters (BAQ). It does not vary by geographic location. It is the housing allowance, or is used to calculate the housing allowance, for members in particular circumstances, such as reservists on active duty less than 20 weeks (see figure 3-8), members with court-ordered child support, members in confinement, etc. See figure 3-9 (1 Jan 2001), for applicable rates.
 - c. **BAH Differential (BAH-DIFF)** – BAH-DIFF is the housing allowance amount for a member who is authorized a basic allowance for housing solely by reason of the member’s payment of child support. A member is not entitled to BAH-DIFF if the monthly rate of that child support is less than the BAH-DIFF. See figure 3-9 (1 Jan 2001) for applicable rates.
 - d. **BAH Partial** – A member without dependents assigned to single-type quarters or is on field or sea duty, and is not entitled to receive a BAH, is entitled to partial BAH at the rates provided in figure 3-9 (1 Jan 2001) for applicable rates.
3. Conditions of Entitlement.
 - a. BAH is payable to members on active duty and will vary according to the grade in which serving or appointed for basic pay purposes, dependency status, and unless approved otherwise for a designated location by Commandant (G-WPM-2), the permanent duty station (PDS) assigned (except as otherwise provided in section 3-F-18.)
 - b. A member’s prior PDS is the PDS for BAH purposes from the day the member departs the old PDS through the day before the member reports to the new PDS in compliance with permanent change of station (PCS) orders (if the member had been residing in government quarters at the old PDS, the member is entitled to BAH the date of termination of government quarters). See figures 3-7 and 3-11 for further guidance.

- c. For BAH payment purposes, a member's permanent duty station (PDS) is the post of duty to which a member is assigned. For vessels, the PDS is the homeport of the vessel. For members assigned ashore, it is the place to which a member is actually assigned for duty. When Coast Guard members are issued PCS orders to a parent command, then subsequently assigned for full-time duty at a secondary command; in such cases the member's permanent duty station for BAH purposes is the secondary command at which the member is actually assigned for full-time duty. **Example:** Member issued PCS orders to Activities New York, Staten Island, NY, but is assigned to full-time duty at the Regional Exam Center(REC) in Manhattan, NY. The member PDS for BAH purposes is the REC.
 - d. **BAH is not payable to members who are assigned to quarters of the United States appropriate to the grade, rank, or rating of the member and adequate for the member and dependents, if the member is with dependents. A member without dependents assigned to single-type quarters or is on field or sea duty, and is not entitled to receive a BAH, is entitled to BAH Partial.**
 - e. Determinations of dependency and relationships (primary dependents) are made by the commanding officer. This may be delegated to the responsible officer at the PERSRU or a designated representative (E-5 or above) who is authorized to sign CG-4170A, BAH/Dependency/Emergency Data Form. Commanding Officer, Coast Guard Human Resources Services & Information Center (LGL) shall make determinations of dependency and relationships (secondary dependents and doubtful primary dependents). See figure 3-16.
 - f. BAH-I rates are determined as set forth in section 3-C-6. BAH-II rates are established by the Secretary of Defense. BAH-II is the housing allowance entitlement for members not specifically entitled to BAH-I in some cases.
4. Determining Dependency or Relationship for BAH Entitlements-Coast Guard Personnel. Determinations are made by section 3-F and figure 3-16.
 5. Fraudulent Claims. Any member who submits a claim for BAH which contains false statements is subject to court-martial or criminal prosecution. In addition, fraudulent acceptance of benefits may cause a civilian recipient to be subject to criminal prosecution. The law provides for severe penalties of imprisonment and a fine. For military personnel, it can include a dishonorable separation, total forfeitures, and confinement.
 6. Establishment of BAH-I Rates.
 - a. The Secretary of Defense determines the costs of adequate housing in a Military Housing Area (MHA) for all members of the uniformed services entitled to BAH-I by location. The determination for housing allowances is based upon the costs of adequate housing for civilians with comparable income levels in the same area.
 - b. An adjustment in the rates of BAH-I as a result of the Secretary's re-determination of housing costs in a MHA takes effect on 1 January of every year.

- c. The amount paid for BAH-I the preceding year is adjusted to reflect changes during the year. This process accounts for the number of members, grade distribution, geographic distribution, base closures, unit/command movements and dependency status of members of the uniformed services entitled to the allowance from the number of such members during the preceding year.
7. **BAH-I Rate Protection.** The monthly BAH-I amount actually paid a member (i.e., BAH-I Rate Protection) shall not be reduced as a result of changes in housing costs in the MHA, **administrative adjustments to MHA boundaries (which don't involve a physical relocation of a member's PDS)**, or promotion of the member. A member's BAH-I rate protection at the current amount will cease on the date the member's eligibility to BAH-I for a given MHA terminates, if the member is demoted, or loses entitlement to BAH-I at the with or without dependents rate. The current BAH-I rate at the current duty location becomes the member's new protected BAH-I rate.
- Example 1:** A member is promoted to E-7 on 16 Jan 2000. Effective 31 Dec 1999 the BAH rate for E-6 is rate protected at \$650.00 even though the 1 Jan 2000 rate for an E-6 decreased to \$600.00. The BAH rate for E-7 effective 1 Jan 2000 is \$625.00. Is the member rate protected for BAH at the higher E-6 rate? Yes, the member is rate protected for BAH at the E-6 rate.
- Example 2:** A member is demoted 16 Jan 2000 from E-6 to E-5. The BAH for E-6 is rate protected at \$700.00 31 Dec 99 even though the BAH rate for the E-6 decreased to \$625.00 effective 1 Jan 2000. Is the E-5 rate protected for BAH at the E-6 rate effective 31 Dec 99? No, the member would forfeit rate protection because of their demotion to E-5. The BAH rate would be for an E-5 effective 16 Jan 2000.
- Example 3:** A member receives a PCS transfer from Portsmouth, VA, on 1 Dec 2000 and reports to Norfolk, VA, on 10 Jan 2001. Effective 1 Dec 2000 their BAH entitlement is \$650.00. Upon reporting on 10 Jan 01, the 2000 BAH entitlement decreased to \$600.00. Is the member rate protected at the higher BAH entitlement? Yes, since the PCS transfer is between units within the same MHA, the member would not experience a decrease in BAH.
- Example 4:** The Department of Defense makes an adjustment to boundaries between two adjacent MHAs, which results in one of the unit's MHA changing to a lower BAH-I rates. Members assigned to that unit prior to the date of the MHA boundary change will be "rate protected" into the previous MHA's BAH-I rate amount, but will not receive any subsequent rate increases applicable to the former MHA. Members reporting on or after the date of the MHA boundary change will receive the BAH-I rate applicable to the new MHA, if otherwise eligible to receive BAH-I.
8. **BAH Rate Protection under a "No-Cost" Permanent Change of Station (PCS) Transfer.** In addition to pre-existing authority to base BAH on dependent location, effective 1 October 2000, in cases of no-cost permanent change of station (PCS) orders within the United States, Commandant (G-WPM-2) may authorize BAH based upon a member's previous permanent duty station (PDS). CONUS COLA, if applicable, cannot be paid for the previous PDS, only for the new PDS or location of dependents. Requests will be submitted by letter, with command endorsement, to Commandant (G-WPM-2).
- a. **"No-Cost" Permanent Change of Station Defined.** To properly apply this term under Joint Federal Travel Regulation rules, no-cost orders are those orders where the member made a housing decision based on the BAH in effect at their PDS and are later disadvantaged with no authorization for movement of household goods (HHG) or dependents due to the close proximity (within a one-hour commute each way) of their residence to their new PDS. Members do not "elect" no-cost PCS assignments. Members who receive PCS funded orders, but do not move their households and elect

to commute still have an entitlement to ship household goods. A PCS is not considered no-cost when the members decision to not utilize a funded PCS entitlement is a matter of personal choice, and BAH is not authorized based on either dependent location or previous PDS. The exception to this rule is assignment to unusually arduous sea duty (Polar WAGB, WHEC, or WMEC).

- b. Consideration Factors. Commandant (G-WPM-2) will review each request for BAH based upon previous PDS. Factors considered to allow continued receipt of BAH based on the previous duty station or dependent location will include:

- (1) If a housing decision was based upon the BAH rate for the previous duty assignment.

Example 1: A member transfers PCS from GP Humboldt Bay to GP San Francisco and makes a housing decision to live in the Oakland/Alameda, CA, MHA. Tour complete at GP San Francisco, the member receives no-cost orders to a command at CG Island, Alameda, CA, (same MHA where residence is located). Member will be authorized to receive the previous duty station BAH (GP San Francisco) because that BAH was used to base their housing decision on.

Example 2: A member was assigned to a PDS in the Baltimore MHA, received the Baltimore MHA BAH, and made a housing decision based on the Baltimore MHA BAH. The member then is transferred no-cost to CG Headquarters, Washington, DC, MHA, does not relocate their household, but is entitled to the higher Washington DC MHA BAH. Upon tour completion at HQ the member receives a no-cost PCS back to a Baltimore MHA PDS, previous duty station (HQ) BAH cannot be authorized because the member had made a housing decision during their first tour in the Baltimore area – a decision that was not influenced by the higher Washington DC BAH.

- (2) The Military Housing Area where the member elects to reside with their dependents.

- (3) A change in the member's dependency status on/after reporting to a lower BAH MHA.

- c. For Members with Dependents. Previous PDS rates are protected if the PCS is to a new PDS within the same MHA. If the member receives a PCS under authorized no-cost orders to a different MHA, the member can request to continue to receive the BAH rate for the location of their former PDS if circumstances warrant such consideration. This applies to all no-cost transfers, including those effected prior to 1 October 2000, but not to tours of duty that precede an applicant's current permanent assignment.

Example 1: A member is assigned to CG Headquarters (Washington, DC, MHA), and resides in Bowie, MD (Fort G.G. Meade, MD MHA). Member receives no-cost PCS orders from Headquarters to CG Activities Baltimore, MD (CG Yard, Baltimore). The member would have no entitlement to a funded PCS since their residence is within a one-hour commute time each way to the new PDS. The member could request to retain the BAH rate, if higher, for the previous PDS (Washington, DC, MHA) vice the Activities Baltimore rate (Annapolis, MD, MHA).

Example 2: A member is assigned to VTS San Francisco (San Francisco MHA), and resides in Richmond, CA (Oakland/Alameda MHA). Member receives no-cost PCS orders from VTS to MLCPAC, Alameda, CA. Member would have no entitlement to a funded PCS since their residence is within a one-hour commute to the new PDS. Member could request to retain the BAH rate for the previous PDS (VTS) vice the new PDS (MLCPAC).

Example 3: A member is assigned to GP San Francisco, and resides in Alameda, CA (Oakland/Alameda MHA). Their PDS prior to Group San Francisco was ISC Alameda. The member based their civilian housing decision in Alameda and did not relocate upon receiving orders to GP San Francisco. Tour complete, member receives no-cost PCS orders back to PACAREA, Alameda. The member cannot be rate protected at their previous PDS(GP San Francisco) because the member was initially ordered into Alameda and based their housing decision on the BAH rate for the Oakland/Alameda MHA.

Example 4: A member receives a no-cost PCS transfer from ISC Portsmouth, VA, (Norfolk/Portsmouth, VA, MHA), to TRACEN Yorktown, VA, (Hampton/Newport News, VA, MHA). The member resides in Portsmouth. The MHA locations are different and the BAH rate is lower in Yorktown than Portsmouth. The member could request to Commandant(G-WPM-2) to continue receipt of the higher Portsmouth BAH rate.

- d. For Members without dependents. Section 403(b)(7) of Title 37 U.S.C. (the BAH statute) provides that members without dependents who are transferred under no-cost PCS orders may be paid BAH for their previous PDS. The request to retain BAH for previous PDS will be submitted by letter, with command endorsement to Commandant (G-WPM-2).
9. Claim for Basic Allowance for Housing (BAH) by Dependent of Member who Dies While on Active Duty. Refer to section 3-E-9 of this Manual for payment of Basic Allowance for Housing (BAH) to surviving dependents of members who die while on active duty.
10. Reserve Component Members.
 - a. Duration of Orders. Except as provided in subparagraph b. below, a reserve component member called or ordered to active duty for 139 days or less is entitled to BAH-II. However, if the member receives an order modification or extension of assignment, the prospective period of active duty (original active duty period plus period for which the orders are extended) must total 140 days or more and BAH-I would start on the date of modification. Members whose orders originally called or ordered the member to active duty for 140 days or more are entitled to BAH-I.
 - b. Contingency Operations. A reserve component member called or ordered to active duty in support of a contingency operation (other than a member who is authorized transportation of household goods as a part of the call or order) is entitled to BAH-I, if the member is unable to continue to occupy the primary residence because of the call or order to active duty. This applies when the residence is maintained as the primary residence of the member when called or ordered to active duty and is owned by the member or for which the member is responsible for rental payments.
 - c. **Member Married to Member.** Unless subparagraph b. above applies, a reserve member married to another reserve member on active duty, without dependents, not assigned to government quarters, is entitled to BAH-II without dependents, when called to active duty for 139 days or less. For such a reserve member on active duty for 140 days or more, each member is entitled to BAH-I without dependents. If such members have dependents, see section E and figure 3-12 of this chapter for entitlement to BAH.

11. BAH and COLA Entitlement When Ordered to an Unusually Arduous Sea Duty Assignment.

- a. As prescribed in the Coast Guard Supplement to the JFTR (CGS-JFTR) and the Personal Property Transportation Manual, COMDTINST M4050.6(series), High Endurance Cutters (WHEC), Medium Endurance Cutters (WMEC), and Polar Class Icebreakers (WAGB), are designated as unusually arduous sea duty vessels. When members receive PCS orders to unusually arduous sea duty, transportation at government expense of dependents and household goods (HHG) to and from a designated place is authorized. A designated place is in the United States, the Commonwealth of Puerto Rico, the Northern Mariana Island, Guam, or any territory or possession of the United States. When the dependents do not relocate from their current residence, it can be certified as a designated place for pay entitlements associated with a designated place. When the member must travel to the designated place to assist in the relocation of dependents, the member may be paid PCS allowances for travel from the old PDS to the new PDS via the designated place. As a general rule, the BAH rate is based on the member's permanent duty station. BAH, once elected, is intended to provide for adequate dependent housing, not windfalls unrelated to housing costs. This designation is for the purpose of expanding travel and transportation entitlements and making an election to receive the BAH rate at;
 - (1) **Prior to 1 October 2000, a designated dependent location, and;**
 - (2) **Effective 1 October 2000, either a designated dependent location or, if the member is eligible, the members previous duty station, whichever is more equitable. The previous duty station authorization is contingent upon the dependent residence being in the vicinity of the member's duty station. And though the member has an entitlement to relocate household goods/dependents at government expense to a designated dependent location, the member has no intentions of relocating household goods/dependents pursuant to executing the PCS orders. Under these circumstances the member can submit a request to Commandant (G-WPM-2) to request the BAH rate for their previous PDS.**
- b. If the BAH rate is approved for the previous PDS, CONUS COLA, if applicable, cannot be paid for the previous PDS, only for the dependent's location or the new PDS. **If the BAH rate is approved for a designated dependent location, the BAH and CONUS COLA rates will be based at the dependent's location.** If the dependents relocate, or remain located, to a designated place OUTCONUS, station allowances (COLA and OHA) are not payable unless the member is stationed aboard a designated unusually arduous sea duty vessel home ported OUTCONUS. Currently, the only Coast Guard OUTCONUS unusually arduous sea duty vessels are homeported in Hawaii.
- c. To request entitlements at either the designated dependents location or previous PDS, the member will be submit a letter with command endorsement to Commandant(G-WPM-2). The request will indicate the dependent(s) home address/zip code. Prior to submitting a request, the member/command will research and verify through available resources their anticipated housing entitlements to ensure a housing entitlement increase vice decrease will occur.
- d. If approved, the authorization will remain in effect until the member executes a PCS from the designated cutter, retires, resigns, discharges, their dependency status changes, or their

dependent's relocate out of the residence their military housing area (MHA) is located in, whichever occurs first. When a member is approved for a rate at either their dependent's location or previous PDS, and the BAH rate for the vessel's homeport inverts to a higher rate other than the rate authorized for, the member cannot submit a new request to receive the higher homeport rate. The exception is a designated vessel that experiences a permanent change homeport. In this case, effective the official date of the homeport change, members receiving BAH at a designated dependent's location or previous PDS may begin receiving BAH for the new homeport if the BAH is higher than the dependents location or previous PDS. Commandant (G-WPM-2) will forward a copy of the authorization letter to the servicing PERSRU as authority for payment. It is recommended the authorization be filed in the PERSRU PDR during the sea duty assignment.

12. Basic Allowance for Housing Type II (BAH-II). BAH-II replaced BAQ effective 1 January 1998. The Department of Defense establishes BAH-II rates. Separate rates are established for members with dependents, and members without dependents. BAH-II is paid, or used for pay purposes, as follows:
 - a. Reserve members serving on active duty for 139 days or less are entitled to BAH-II (and not BAH-I). See section 12-F.
 - b. Lump sum leave payments to officers, for leave accrued as of 31 August 1976 (saved leave), under the provisions of section 10-A-6.a., include the rates of BAH-II in the computation.
 - c. In computing income for earned income credit (EIC) purposes, BAH-II rates apply.
 - d. Dislocation allowances paid under chapter 5, part 6, JFTR, are calculated on the basis of current BAH-II rates.
 - e. Grandfathered BAH-DIFF rates payable under section 3-F-15.b. are based on rates of BAH-II.
 - f. Members assigned overseas in receipt of overseas housing allowance (OHA) are entitled to BAH-II from the date of departure from the overseas duty station until the day before the member reports to an INCONUS duty station provided:
 - (1) The member has dependents, or
 - (2) The member is without dependents but is in pay grade E-4 over 4 years' service or above.
 - g. Members assigned overseas at an OHA-payable locale who are not entitled to OHA because the member has not finalized housing arrangements are entitled to BAH-II (and Temporary Lodging Allowance (TLA)) until such time as the member becomes entitled to OHA.
 - h. Members with dependents in a confinement/inmate status, who are not under total forfeitures of pay and allowances, are entitled to BAH-II (and not BAH-I) while in confinement.
13. BAH Entitlement of Members Recalled From Retirement. Members recalled to active duty from retirement under section 2-G-1, are entitled to BAH-I during their recall status, irrespective of the duration for which the member is recalled to active duty.

3. Validity of Member's Marriage. Any case where the validity of a member's marriage is questioned is considered a case of doubtful relationship.
- a. Remarriage Within Prohibited Period Following Divorce. Under the laws of some states, a marriage is not dissolved until a specified period has elapsed after granting of a divorce decree. Remarriage is prohibited within the specified period. Moreover, in all states that grant an interlocutory decree before they grant a final divorce decree, remarriage may not be contracted before the final decree is granted.
 - b. Marriage by Proxy. Proxy marriages are considered valid if performed in a jurisdiction recognizing common-law marriages and has no statute or judicial determination prohibiting proxy marriages.
 - c. Marriage by Telephone. A marriage by telephone will be recognized as entitling a member to BAH on behalf of a "lawful spouse" only if a statute or court decision authorizes or recognizes telephone marriages in the jurisdiction where the marriage was performed.
 - d. Common-Law Marriages. Under laws of certain states, a common-law marriage may be entered into by persons who do not obtain a license to marry or go through certain other formalities. Common-law marriages entered into in those states are considered valid if they are contracted in accordance with state law.
 - e. Foreign Nation Divorce. A foreign nation divorce may or may not be recognized as valid in the United States depending on several factors. These factors include place of residence of the parties involved, whether they appeared in person to obtain the divorce, and applicable state laws. Any claim involving remarriage of a member following a foreign nation divorce and any claim by or on behalf of the spouse from whom the member has obtained a foreign nation divorce are cases of doubtful relationship. A claim based on a member's marriage to a person who has obtained a foreign nation divorce is also a doubtful case.
 - f. Purported Marriage.
 - (1) Void Marriage. If a member's marriage is void (because of a pre-existing marriage of the spouse, for example) the member has no lawful spouse and is not entitled to BAH as a result of the purported marriage. When invalidity of the marriage is discovered, no further BAH payments may be made for any period (see figure 3-14, rule 4). When validity of a marriage is questionable, submit the case to the office shown in section 3-F-3.f.(4) for a determination on validity of the marriage and, if necessary, validation of payments already made.
 - (2) Final Divorce Decree. A decree certified by the issuing court or a certified statement under seal from the clerk of the court establishing the exact date of the divorce from bond of matrimony. To avoid overpayment of BAH pending receipt of court documents, a member may submit a written statement to their servicing PERSRU, via their command, indicating the effective date of the final divorce decree and request BAH be stopped.

- (3) Annulled Marriage. If a member's marriage is annulled by court decree, no further BAH payments may be made for any period (see figure 3-14, rule 3). The member may retain payments received before the effective date of the decree.
- (4) Determination and Validations. Submit requests for determination on validity of a marriage (doubtful cases) or for validation of payments to the appropriate address shown below:

Commanding Officer (LGL)
Coast Guard Human Resources Service & Information Center
444 SE Quincy St.
Topeka, KS 66683-3591

- 4. Child of Legally Invalid Marriage. An unmarried minor child of an invalid marriage or a marriage annulled as void or voidable is considered a dependent for BAH purposes.

5. Support of Dependents-General.

- a. Proof of Support. The statutory purpose of BAH on behalf of a dependent is to at least partially reimburse members for the expense of providing private quarters for their dependents when government quarters are not furnished, and not to pay BAH on behalf of a dependent as a bonus merely for the technical status of being married or a parent. Proof of support of a lawful spouse or unmarried, minor, legitimate child of a member is generally not required. However, when evidence (e.g., special investigation reports; record reviews; fraud, waste and abuse complaints; sworn testimony of individuals; statement by member) or complaints from dependents of nonsupport or inadequate support of dependents are received, proof of adequate support as stated in section 3-F-5.e., is required.
- b. Nonsupport. **When support requirements are established as in section 3-F-5.d., they will apply.** If the support requirements are not established by court order or mutual agreement, the member must provide proof of support in an amount that is at least the lesser of the BAH received on behalf of the claimed dependents, or a reasonable amount requested by or on behalf of the dependents; however, in no case may the support contribution be less than the difference between the "with" and "without" dependents BAH rates applicable to the member's grade. The amount of support required for entitlement to retain or receive BAH on behalf of dependents does not necessarily mean that such amount is deemed adequate to meet the policy of the service concerned as to what constitutes adequate support in the absence of a written mutual agreement or court order. Refer to Article 8.M, Personnel Manual, COMDTINST M1000.6 (series). A member who fails to support a dependent on whose behalf BAH is received is not entitled to BAH on behalf of that dependent. Recoupment will be effected for periods of nonsupport or inadequate support. Unless a period of nonsupport or inadequate support was caused as a result of mission requirements (e.g., remote assignment, deployed, limited access to administrative support and/or financial networks, etc.), or the actions of outside agencies (such as financial institutions, postal service, etc.) over which the member has no control, the subsequent payment of arrears of support does not entitle a member to BAH on behalf of the dependent for the period of nonsupport or inadequate support. If a member is not entitled to BAH for dependents under any of the subsequent subparagraphs, consider entitlement to without dependent or partial rate BAH under section 3-D.

Example 3: An eligible member is attached to a career sea pay eligible vessel, and that vessel departs its homeport on 1 June and returns to homeport on 1 July. The member is entitled to FSA-S payment for 30 days under section 3-G-11. On 25 July, the vessel departs its homeport for a subsequent period of 20 days. Since no entitlement exists for the subsequent deployment, no entitlement is created for the interim period.

- c. Qualifying for FSH and FSA for the Same Period. In such cases, concurrent payment of both types is authorized. A member may not, however, receive more than one payment of FSA for the same period, even though qualified for FSA-R, and FSA-S or FSA-T.
 - d. Amount Payable. Effective 1 October 1985 through 14 January 1991, FSA is payable in a monthly amount of \$60.00. Effective 15 January 1991 through 31 December 1997, FSA is payable in a monthly amount of \$75.00. Effective 1 January 1998, FSA is payable in a monthly amount of \$100.00.
 - e. Conditions of Entitlement. Refer to figures 3-19 and 3-21.
5. Common Residence Requirements (FSA Only). A member is not considered “a member with dependents” for FSA entitlements when:
- a. The sole dependent is placed in an institution for a known period of over 1 year or for an indefinite period, which may be expected to exceed 1 year.
 - b. The sole dependent is a spouse legally separated or a child(ren) in the legal custody of another person. Exception: When the member has joint physical and legal custody of the child(ren) and the child(ren) would otherwise reside with the member but for the current assignment, the member will be considered as a “member with dependents” for FSA entitlement.
 - c. The member’s dependent parent does not reside in a home which the member controls, supervises, and maintains for mutual use when circumstances permit (43 Comp Gen 44, 46, and 148).
 - d. For member-married-to-member with no dependents, couple must have resided together immediately before being separated by reason of execution of military orders.
6. Temporary Social Visits by Dependents. A member in receipt of FSH and/or FSA and has social visits by his or her dependents, their FSH and/or FSA entitlements will be affected as follows:
- a. FSH and FSA-R. Credit continues to accrue while the member’s dependents visit the member at or near the permanent duty station not to exceed **90 days**, if facts clearly show:
 - (1) The dependents are merely visiting and not establishing a residence.

- (2) That the visit is of a temporary nature and is not intended to exceed **90 days**. If, for unforeseen reasons (due to illness or other emergency), a bona fide social visit extends beyond **90 days**, stop FSH/FSA-R credit at the end of the 3-month period. If the visit is initially intended to exceed **90 days**, stop FSH/FSA-R credit the day before the dependents arrive at the member's permanent station. Credit is again authorized on and after the day the dependents depart from the member's station (3 Comp Gen 596). A member is entitled to FSH and FSA-R even though one or more, but not all of the dependents visit the member in excess of **90 days** if member is otherwise entitled to FSA on behalf of the dependents who do not visit the member (43 Comp Gen 332).
- b. FSA-S and FSA-T. Credit continues to accrue during the period the member's dependents visit the member at or near the TEMDU/TAD station (or port other than homeport of the ship) for a continuous period of 30 days or less, if facts clearly show:
- (1) The dependents are merely visiting and not changing residence.
- (2) That the visit is of a temporary nature and is not intended to exceed 30 days. If the visit exceeds 30 days, entitlement to FSA-S or FSA-T ends on the day preceding the date of their arrival, unless the visit is extended because of illness or other emergency. Under such circumstances payment is limited to 30 days. Credit is again authorized on and after the day of departure of the dependents provided the TEMDU, TAD or the ship's period away from homeport continues for more than 30 days from that date.

Note: Credit also continues if one or more, but not all, of the dependents visit the member for longer than 30 days, if the member is otherwise entitled to FSA-S or FSA-T on behalf of the dependents who do not visit the member (43 Comp Gen 332).

7. **Dependents Residing at or Near Duty Station**. FSA/FSH does not accrue to a member if all of the member's dependents reside at or near the member's duty station. If some, but not all, of the dependents voluntarily reside near the member's duty station, entitlement may accrue for the dependents who do not reside at or near the member's duty station. Consider a member's dependents as living at or near the duty station if they live within a reasonable commuting distance of that station. For this purpose, a one-way distance of 50 miles is considered as a reasonable daily commuting distance from a station; however, the 50-mile rule is not inflexible. Unusual conditions may permit a determination that dependents do not live within a reasonable commuting distance, even though the distance involved is less than 50 miles one way. In a situation where the distance is less than 50 miles but the time required to commute one way by commonly used route and method of transportation would exceed one and a half hours, the dependents shall be considered as not residing near the member's temporary duty station unless the member actually commutes daily. In questionable cases, Personnel Reporting Units may submit requests for determination through official channels to Commandant (G-WPM-2), (43 Comp Gen 332 and 43 Comp Gen 444). The above rules also apply to situations regarding distance from active duty members in member-married-to-member having no dependents.

6. Ship Moves from Homeport (Homeport not Changed). When a ship moves from its homeport to another port within 50 miles (and less than 1 ½ hours travel time) of the homeport, those members permanently attached to the ship whose dependents do not reside at or near the homeport do not become entitled to FSA-S. However, those members permanently attached to the ship whose dependents do reside at or near the homeport and are over 50 miles (or less than 50 miles but over 1 and ½ hours travel time) from the physical location of the ship are entitled to FSA-S, provided they do not commute regularly, (i.e., three times a week while vessel is in port). When a ship moves over 50 miles (or within 50 miles but over 1 and ½ hours travel time) from the homeport FSA-S is payable if otherwise entitled.
7. Entitlement to FSA/FSH Incident to PCS Assignments.
 - a. General. Entitlement to **FSA/FSH** upon PCS is authorized only when movement of a member's dependents to the new permanent duty station is not authorized at Government expense. Voluntary reassignments, however, for the convenience of the member under permissive orders do not qualify members for FSA, even though movement of dependents at Government expense is not authorized. See section 3-G-13 for rules pertaining to member-married-to-member cases.
 - b. Assignments. Effective 14 November 1986, a member selected for PCS assignment, from CONUS TO OCONUS, to an area where dependents are permitted, and elects to serve an "all others" (unaccompanied by dependents) tour, does not qualify, under section 3-G-4.a.(1), for FSA-R. Refer to rule 2 of figure 3-21. In situations where it would be inequitable to deny FSA-R to a member because of unusual family or operational circumstances, this provision may be waived by Commandant (G-WPM).
 - c. Delays Caused by the Government (Figures 3-17 and 3-21). The following examples are of delays in transportation of dependents due to Government reasons:

Example 1: On 1 July, member's advance application for concurrent travel of dependents to the overseas station was disapproved due to lack of available Government-owned transportation facilities. The disapproval contained the statement that the anticipated delay for movement of dependents is more than 60 days. Member departed old station on 6 July and arrived at the overseas station on 7 July where Government quarters were not available. Dependents joined member on 26 September having performed travel under orders dated 10 September. Member is entitled to FSH for the period 7 July through 25 September, and FSA-R for the period 6 July through 25 September (qualified for FSH and FSA for the same period).

Example 2: The member applied for a dependency determination for a dependent mother on 3 June and was transferred overseas on 14 September. After arrival overseas, the member received approval of the dependency application for a dependent mother retroactive to 1 May. The mother was not authorized concurrent travel to member's permanent station because a determination of dependency had not been made on the effective day of the orders. Delay in processing the dependency application was caused by the Government. Before transfer overseas, member had maintained quarters to be shared with the mother. An enforced separation resulted upon transfer overseas. Credit for FSA-R accrues from the date member departed from the permanent station or the first day of authorized travel time, whichever is later, through the date the dependent mother arrived at the overseas station.

- d. Changes in Tour Elections. Refer to rules 3 and 8 of figure 3-17, and rules 13 and 14 of figure 3-21.
 - e. Dependents Evacuated. Refer to **rule 12** of figure 3-18 and rule 8 of figure 3-20. A member is entitled to otherwise proper credit of FSA-R when the dependents are evacuated from a danger area and they temporarily occupy Government quarters at a safe haven area.
 - f. Dependent's Travel Prohibited Under Immigration Laws. If a dependent is otherwise authorized transportation at Government expense but is not eligible under immigration laws for entry into the United States before a member reports to the new permanent station, entitlement to FSA-R does not accrue.
10. How to Compute 30 Day Period for FSA-T Credit. Credit for FSA-T may not be made until the member has been TEMDU/TAD away from the permanent station, including TEMDU/TAD aboard ship, continuously for more than 30 days. Compute this period as follows:
- a. Calendar Days. Count the actual number of days in the month, including the day of departure and the day of return to the permanent duty station. The 31st day of the month is included in the count even though payment is made on a 30 day basis. The 28th day of February is counted as only 1 day for computation and three days for payment. No payment is made for the day of return to the permanent station.

Example 1: A member departs the permanent duty station on TAD 25 February (non-leap year) and returns 29 March utilizing 1 day travel time each way and no leave en route. Member is entitled to FSA-T in the amount of \$113.33. (4 days in February and 29 days in March = 33 days for computation; 6 days in February and 28 days in March = 34 days for payment).

Example 2: A member departing the permanent duty station on TAD 25 February (non-leap year) and returning on 26 March is not entitled to FSA-T since the period of absence was not more than 30 days (4 days in February and 26 days in March = 30 days for computation).

- b. Authorized Travel Time - TAD. Include days of authorized travel time to and from the TAD station. Refer to section 3-G-10.d. for exception when travel in connection with TAD is performed by privately-owned conveyance (POC) for the convenience of the traveler.

FAMILY SEPARATION HOUSING (FSH); CONDITIONS OF ENTITLEMENT

R U L E	A	B	C	D	E	F
	If a member's overseas PCS assignment is to	and the member elects to serve	and concurrent travel	and the member changes the election to	and	then their entitlement to FSH (notes 1 and 6)
1	an area where dependents are not permitted (dependent restricted)					exists for entire unaccompanied tour. (43 Comp Gen 547)
2	an area where dependents are authorized, or to an advance application area	the "all others" tour before departure from CONUS				exists for entire unaccompanied tour including tour extensions.
3				"with command sponsored dependents" tour, and the change is approved (note 2)		continues through day before dependents arrive at overseas station, not to exceed 60 days from date transportation of dependents is authorized, unless additional delay is caused by the government. (note 3).
4		the "with command sponsored dependents" tour before departing CONUS	is authorized and performed			does not exist.
5			is authorized by area command but not performed due to government reasons (note 4)			exists through day before date dependents arrive at overseas station.
6			is not authorized by area commander		complies with all area regulations for entry of dependents	continues through day before dependents arrive at overseas station, not to exceed 60 days from date transportation of dependents is authorized, unless additional delay is caused by the government. (43 Comp Gen 547)(note 3)
7					fails to comply with area regulations for entry of dependents	stops at time member fails to take action according to area regulations. (note 5)
8	an area where dependents are authorized or to an advance application area	the "with command sponsored dependents" tour before departing CONUS	is not performed for any reason	the "all others" tour before dependents depart CONUS		continues for entire unaccompanied tour, if otherwise eligible. If member is not drawing FSH, entitlement accrues on and after date reelection is officially approved.
9	an area where dependents are permitted	an accompanied tour			dependents are returned at authorized government expense	begins on the day of dependents departure, provided the criteria of 3-G-3.a.(1) through (3) are met.
10	an area where dependents are permitted	an accompanied tour			<u>voluntarily</u> returns his or her dependents back to the United States	does not exist.
11	an area covered by any of the above rules				has an only dependent on active duty	does not exist.
12	a consecutive overseas PCS assignment	the "all others" tour before departing the OCONUS unit			is approved for a designated dependent location (note 6)	exists for the "all others" tour. (note 6)

Notes to figure 3-17 are on page 3-78.

FIGURE 3-17

FAMILY SEPARATION HOUSING (FSH); CONDITIONS OF ENTITLEMENT (CONT'D)

Notes to figure 3-17:

1. Entitlement in all cases exists only if Government quarters are not available for assignment to member, and dependents do not reside at or near the member's duty station.
2. Change in tour election from "all others" to "with command-sponsored dependents" tour must be fully documented, and officially approved by Coast Guard Personnel Command (opm) or (epm). This also applies to elections (made after member arrives overseas) to serve the "with command-sponsored dependents" tour.
3. Delays due to Government reasons include:
 - a. Lack of transportation facilities.
 - b. Disapproval by Commander, Personnel Command (opm) or (epm)
 - c. Disapproval for reasons of health (pregnancy of wife, etc.)
 - d. Insufficient service retainability or remaining time in the overseas tour (43 Comp Gen 332).
4. FSH credit accrues only if dependents are prevented from traveling with member for reasons caused by the Government and the delay is more than 30 days. Period of more than 30 days begins date member departs from old station or 1st day of authorized travel time, whichever is later. It includes TD en-route and leave taken while attached to TD station. It does not include leave en-route.
5. Timely application for entry of dependents must be made after arrival at the overseas station in accordance with Chapter 5, CG Supplement to the Joint Federal Travel Regulations Volume I (CGS-JFTR), COMDTINST M4600.17 (series).
6. If the transfer is to a consecutive overseas PDS (example: ISC Kodiak to ISC Ketchikan), and the member requests and is authorized by Commandant(G-WPM-2) a designated dependent location while serving under the "all others" tour election, FSH eligibility applies if the criteria of 3-G-3.a.(1) through (3) are all met.

FIGURE 3-17 (cont'd)

DATE TO STOP FSA

R U L E	A	B
	If member	then FSA credit continues through
1	has dependents who arrive at the duty station with intent to establish a residence	the day before dependents arrive (note 1)
2	on next reassignment, arrives at a station where member does not qualify for FSA	the day before date member arrives at new station (note 5)
3	returns from TAD of more than 30 days	the day before date of member's return from TAD (note 2)
4	is in a non-pay status for any period	the day before the date entering such status, except as provided in section 3-H.
5	has sole dependent in an institution, and if the stay in the institution continues	the day before one year from the date member's sole dependent entered an institution. (note 3)
6	is on board a ship away from its homeport	the day before ship returns to homeport or date of detachment from ship, whichever is earlier. (note 4)
7	reports on board a ship after a change of homeport has been declared	the effective date of the change of homeport.
8	has only secondary dependents who resides with relatives or friends	day before date dependents move to home of relatives or friends.
9	completes period of TD of more than 30 days in conjunction with PCS	the day before the date the member arrives at the new station. (note 2)

Notes:

1. Refer to section 3-G-6 for temporary social visits.
2. If delay en-route and/or proceed time is authorized, use constructive date. (Refer to section 3-G-10)
3. Applies when stay in the institution is initially not expected to exceed one year.
4. FSA-S continues if member is detached and attached the same day to another ship away from its homeport.
5. If a delay en-route and/or proceed time is authorized and used, then use a constructive date of arrival. Constructive date will be computed by deducting the number of days leave, compensatory absence and/or proceed time authorized and used from the actual date of arrival.

FIGURE 3-22

H. Station Allowance Outside the United States.

1. Authority. 37 U.S.C. 405 authorizes the Secretary to make payment of a per diem considering all elements of the cost of living to members and their dependents, including the incidental expenses to such a member who is on duty outside the United States, or in Alaska or Hawaii.
2. Conditions of Entitlement. A member who is assigned to permanent duty outside the Continental United States (OCONUS) is entitled to station allowances (except Alaska and Hawaii draw BAH in lieu of OHA). The payment conditions are prescribed in the Joint Federal Travel Regulation (JFTR), Volume 1, Chapter 9, and rates of payment in the Appendixes. Station allowances, when authorized, are in addition to basic allowances for housing and subsistence.
3. Types of Allowances Payable. Reference the Joint Federal Travel Regulation (JFTR), Volume 1, Chapter 9, and the Appendixes.

I. Clothing Allowance for Regular Officers.

1. Authority. Under the provisions of 37 U.S.C. 415 and Public Law 96-513, effective 15 September 1981, all officers are entitled to an initial allowance upon their first appointment as an officer (temporary or Regular) or as a permanent warrant officer. Section 3-K contains Reserve officer entitlements.
2. Amounts Payable. Effective 1 October 2000, the initial uniform allowance is \$400.00.
3. Entitlement Restrictions. Regular officers who received this allowance while a regular officer of another service are not entitled to this allowance for their Coast Guard service. Additionally, this uniform allowance is payable only once within the same military service.
4. Claims Prior to 15 September 1981. Any claim for an officer uniform allowance with a date of entitlement before 15 September 1981 must be forwarded to HRSIC (MAS) for settlement.
5. Civilian Clothing Monetary Allowance. Under the provisions of 37 U.S.C. 419, officers assigned to a permanent duty station at a location outside the United States may be paid a civilian clothing allowance if the officer is required by competent authority to wear civilian clothing all or a substantial portion (50 percent or more is considered substantial) of the time in the performance of their official duties.
 - a. Who May Authorize Civilian Clothing Allowance. **Officers assigned to Coast Guard Activities Europe and Far East who are required to wear civilian clothing may be authorized by their respective Commanding Officers.** All other officers must request this allowance by submitting a letter request to Commandant (G-WPM-2) via the program manager. The request must include the tour length of the member's assignment, the percentage of time the member will be required to wear civilian clothing and whether the member needs the allowance for summer or winter outfits, or both. The seasonal uniform authorization shall be used in determining the entitlement to summer or winter outfits, or both. In certain circumstances the seasonal clothing entitlement can be waived if the request clearly indicates the member is required to wear both summer and winter clothing frequently throughout the year.

- b. Rates and Conditions When Payable. Rates and conditions under which civilian clothing monetary allowances are payable are contained in figure 3-23.

J. Clothing Allowances for Enlisted Members.

1. Authority. Title 37 USC 418 authorized the President to prescribe the quantity and kind of clothing, or cash allowance in lieu thereof, to be furnished to enlisted members.
2. Definition of Terms. The terms “Continuous Active Duty” and “Continuously on Active Duty,” as used in this section, include an interim of 3 months or less between the date a member is separated and the date reenlisted or recalled to AD.
3. Clothing-in-Kind Issue to Enlisted Members. An initial or partial initial clothing-in-kind issue will be made to all enlisted members upon reporting for extended active duty (EAD).
4. Types of Cash Clothing Allowance. The types of clothing monetary allowances authorized for Coast Guard enlisted members are:
 - a. Civilian.
 - b. Supplementary.
 - c. Maintenance.

Note: These allowances accrue to enlisted members under conditions described in sections 3-J-5 through 3-J-7.

5. Civilian Clothing Monetary Allowance. This allowance is authorized for enlisted members when they are assigned to duty requiring the wearing of civilian clothing. Members who are merely permitted, rather than required, to wear civilian clothing are not entitled to this allowance.
 - a. Who May Authorize Civilian Clothing Allowance. This allowance is authorized for enlisted members assigned to duty as special agents in accordance with the Investigations Manual, COMDTINST M5527.1 (series). Special Agents are considered required to wear civilian clothes at all times during their assignment of such duties. Personnel may be authorized this allowance if approved by Commandant (G-WPM-2). This may be accomplished in the orders assigning the member to duties requiring the wearing of civilian clothing if such orders are issued by Chief, Enlisted Personnel Management Division, Coast Guard Personnel Command. Commanding officers, district commanders and MLC commanders shall submit a letter requesting civilian clothing allowance. Request must include the tour length of the member’s assignment and whether the allowance for summer or winter outfits or both are needed. The seasonal uniform authorization shall be used in determining the entitlement to summer or winter outfits or both. In certain circumstances the season clothing entitlement can be waived if the request clearly indicates the member is required to wear both summer and winter clothing frequently throughout the year.
 - b. Rate and Conditions When Payable. Rates and conditions under which civilian monetary allowances are payable are contained in figure 3-23.

6. Supplementary Clothing Monetary Allowance. This allowance accrues to enlisted members who are assigned to duty where they are required to have special items or quantities of individual uniform clothing not normally required for the majority of enlisted members. This allowance is in addition to any other clothing monetary allowance. Rates and conditions under which allowances are payable are found in figure 3-24.
7. Clothing Maintenance Monetary Allowance. This allowance provides for the maintenance and replacement of items of personal clothing requiring replacement during the member's tour of duty. Disregard periods of time lost when computing periods of AD for the purpose of commencing maintenance allowance.
 - a. Type of Clothing Maintenance Allowance. Refer to figure 3-25 and for reserve enlisted members, figure 3-26, for the types and conditions under which maintenance allowances are payable.
 - b. Rates Payable. Cash clothing maintenance allowances are payable at the monthly rates specified in figure 3-27.
8. Alteration Expense. The cost of essential alteration of outer garments of initial (or partial initial) issues of uniform clothing to enlisted members is a proper charge to appropriated funds. Local commands should arrange for procurement of this service from commercial or exchange activities under the small purchase procedure. Charge alteration expense to the appropriation, operating guide and cost center to which the cost of uniform clothing is chargeable.

CAREER SEA PAY – CONDITIONS OF ENTITLEMENT

R U L E	A	B	C
	When an eligible member is serving aboard a ship or mobile unit designated for Career Sea Pay	and	then Career Sea Pay
1	reports for permanent duty defined as sea duty		starts on date of reporting.
2	is detached from permanent duty defined as sea duty		accrues through day of detachment
3	is discharged while on sea duty	immediately reenlists on board	continues to accrue provided member is otherwise entitled.
4	on sea duty	is TD, TAD, temporarily based ashore under orders, or hospitalized ashore (note 1)	accrues for 30 days past the date of the member's departure. (notes 4 and 5)
5	on sea duty and is on authorized leave		accrues for the period of leave if otherwise entitled
6	receiving hardship duty pay-location		does not accrue.
7	who is stationed ashore	the type of sea duty is TD, TAD	accrues on the date of reporting through date of detachment. (note 2)
8	is suspended or otherwise removed from duty or confined awaiting trial by courts-martial	is acquitted or charges are dismissed	accrues retroactively from first day of confinement, suspension or removal from duty, if member is otherwise entitled.
9	is suspended or otherwise removed from duty or confined awaiting trial by courts-martial	is convicted	does not accrue on first day of confinement, suspension or removal from duty through date prior to day of return to duty from any status above. (note 3)
10	is confined as a result of courts-martial		does not accrue on first day of confinement through date prior to date of release from confinement. (note 3)
11	is permanently or temporarily assigned to duty on a ship which is undergoing alterations or repairs	ship remains in an active status (in-commission or in-service)	continues to accrue.
12	is permanently or temporarily assigned to duty on a ship undergoing inactivation processing		stops when the ship reverts to inactive status.

Notes:

Temporarily based ashore refers to a ship-based unit or a ship-based staff (including mobile unit personnel) that has landed ashore with the intent to return to a ship.

- Further TD or TAD ashore from the ship will not interrupt Career Sea Pay entitlement for the first 30 days member is in such status provided member is otherwise entitled and returns to the ship.
- Where sentence is changed to restriction to a ship and member performs duty, Career Sea Pay is resumed. Nonjudicial punishment does not result in loss of career sea pay.
- The 30-day clock starts at 0001 of the first full day the member is TD/TAD away from the career sea pay eligible vessel or ashore at a mobile unit. Career sea pay and time terminates at 2400 the 30th actual day the member is TD/TAD away from the career sea pay eligible vessel or ashore at a mobile unit.
- Periods of leave taken before, after, or between two periods of TD/TAD ashore from a career sea pay eligible vessel shall not be considered when computing the 30 day period. Periods of leave taken before, during, or after a period ashore at a mobile unit shall not be considered when computing the 30 day period. Members are entitled to career sea pay and time for all periods of leave, provided the member was entitled to career sea pay upon commencement of leave. Members whose career sea pay stops during the TD/TAD period or while ashore at a mobile unit are not entitled to career sea pay for periods of leave taken after the career sea pay has stopped. In this case career sea pay will not restart until member reports back to a career sea pay eligible vessel.

FIGURE 4-5

C. Career Sea Pay Premium.

1. Authority. Career Sea Pay Premium (CSEAPAY PREM) is a special pay authorized by 37 U.S.C. 305a as amplified by Executive Order 11157, as amended.
2. Entitlement. Enlisted members in pay grade E-4 through E-9 (other than a member in pay grade E-5 through E-9 with over 5 years of sea duty) and officers, who are entitled to Career Sea Pay (CSEAPAY), and have served 36 consecutive months of sea duty are entitled to CSEAPAY PREM for the 37th consecutive month and each subsequent consecutive month of sea duty. Listed below are examples of when a member would be eligible for CSEAPAY PREM:
 - a. Enlisted members in pay grade E-4 and all officers who are entitled to CSEAPAY and have served 36 consecutive months of sea duty are entitled to a monthly CSEAPAY PREM for the 37th consecutive month and each subsequent consecutive month of sea duty served by such members.
 - b. Enlisted members (E-5 through E-9) with at least 3 years but less than 5 years of sea duty and have served 36 consecutive months of sea duty are entitled to CSEAPAY PREM for the 37th consecutive month and each subsequent consecutive month of sea duty served by such member.
 - c. Enlisted members (E-5 through E-9) with over 5 years of sea duty and beyond and who were on sea duty on or prior to 30 April 1988, and have served 36 consecutive months of sea duty are entitled to CSEAPAY PREM for the 37th consecutive month and each subsequent consecutive month of sea duty served by such member and the lower rates of CSEAPAY in figure 4-3. Under no circumstances would the higher rates of CSEAPAY in figure 4-3 and CSEAPAY PREM be authorized for members (E-5 through E-9) with over 5 years of sea duty. Those members who complete the 36 month requirement of consecutive sea duty after 30 April 1988 are not entitled to CSEAPAY PREM; but are entitled to the higher rate of CSEAPAY.
3. Rate Payable. The monthly rate of CSEAPAY PREM is \$100.00. The portion of the month in which CSEAPAY PREM starts or stops will be prorated. The 31st day of a month is not countable under any circumstances. CSEAPAY PREM is subject to Federal and State income tax. It is not subject to FICA tax.
4. Career Sea Time for CSEAPAY PREM. Career sea time will be credited and increased on a daily/monthly basis for CSEAPAY PREM during the periods when a member:
 - a. Is permanently assigned to a CSEAPAY eligible vessel.
 - b. Is temporarily or permanently assigned to a mobile unit, other than those members assigned to perform administrative duties.
 - c. Is temporarily or permanently assigned to and serving with a ship-based aviation unit or ship-based staff which is embarked on a CSEAPAY eligible vessel or is temporarily or permanently assigned to a mobile unit to perform administrative duties and is embarked on a CSEAPAY eligible vessel.

CHAPTER 7. ALLOTMENTS FROM PAY

A. Statutory and Administration Provisions.

1. Policy. The allotment system is provided primarily to assist Coast Guard Personnel in accommodating their personal and family financial responsibilities, and secondarily as an effective system for regular payroll deductions for approved programs. It is a convenience and privilege not to be exploited or abused.
2. Who Can Make Allotments. Title 37 U.S.C. 703 authorizes Coast Guard member to make allotments from their pay under regulations prescribed by the Secretary. **Regular and reserve members on active duty for 140 days or more, and members receiving retired pay, may make allotments from their pay for any of the purposes and within the limitations in figure 7-1 and section 7-A-3 and 7-A-4.**
3. How Much Can Be Allotted. All pay and allowances (less amounts which must be withheld for federal, state, and FICA taxes, Servicemembers' Group Life Insurance (SGLI) premiums, Montgomery GI Bill deductions, and indebtedness to the United States) may be allotted by members.
4. Restrictions. The registration of all allotments is subject to approval by the Human Resources Service and Information Center. The following restrictions governing allotments of pay apply:
 - a. Direct Deposit. Public Law 104-134 (the Debt Collection Improvement Act of 1996) requires that all allotment payments be made by electronic funds transfer(EFT).
 - b. Minors. Allotments (except bonds) may not be registered to children under 16 years of age. Allotments may be made payable to the children's guardian or custodian. Spouses of members may be named as allottees regardless of age.
 - c. Mental Incompetents. Allotments may not be registered to mentally incompetent persons. They may be made payable to a guardian or to the facility where the allottee is cared for.
 - d. Allotments to Same Payee. A member may have multiple allotments to the same payee provided: (1) The allotments are sent by direct deposit; and (2) Each allotment has a unique account number.
 - e. Number of Allotments. The maximum number of allotments any one member may have is 14. Refer to figure 7-1 for limitation on number of allotments by type each member is permitted to have in effect.
 - f. Power of Attorney. A special power of attorney may be used to establish, change, or stop an allotment. This special power of attorney must specifically state the authority to establish, change, or stop allotments. A general power of attorney is not acceptable to establish, change, or stop an allotment.
 - g. General Court-Martial Prisoners. Allotments are authorized only to the extent of allottable pay available after court-martial forfeitures.

- h. Members Awaiting Trial. Register only necessary “D” allotments between the date the trial is ordered and the date action is approved or disapproved by the convening authority. Discontinue allotments whenever:
 - (1) Necessary to permit collection of the forfeiture in the monthly amount specified and within the time limitation stated in the court-martial sentence.
 - (2) Member is sentenced to forfeit all pay and allowances due from the date the sentence is approved by the convening authority.
 - i. Fraudulent Enlistment. Pay and allowances may not be allotted when pay is suspended pending final action on determination of fraudulent enlistment.
 - j. Reduced Pay of Allotter. When a reduction-in-grade or stoppage of pay does not leave sufficient funds for allotments in force, allotments must be discontinued as necessary to prevent an overpaid status.
5. Effect on Allotment in Case of Death. The right to allotment in case of death of the allotter or allottee:
- a. Death of Allotter. All allotments are revoked by death of the allotter. No further allotment payments will be made by HRSIC after receipt of notice of the allotter’s death. Deductions made from the allotter’s pay, but not paid to the allottee, become part of the allotter’s estate. Allotments paid after death may not be collected from the allottee nor charged against the pay of the allotter (Comp Gen B-225873, 25 Sep 87), except:
 - (1) Allotments erroneously established after notice of death of the allotter.
 - (2) Unearned insurance payment premiums (insurance premiums paid one month in advance of the day payment is actually due).
 - b. Death of Allottee. An allotment check, even though endorsed, does not become part of an allottee’s estate if it is not cashed or negotiated before the death of the allottee. It is not subject to any expense incurred by, or on behalf of, the allottee before or after death. All un-negotiated allotment checks must be returned to HRSIC for credit to the member’s account.
6. PERSRU Responsibility. The Personnel Reporting Unit (PERSRU) that registers an allotment is responsible to ensure the allotment is in keeping with the regulations set forth in this chapter.
7. Command Responsibility. Commanding officers are responsible for informing the PERSRU promptly of any facts which warrant stopping an allotment of a member under their command.

EFFECT OF PUNISHMENT, ABSENCE, AND NONPAY STATUS ON FICA TAX

R U L E	A	B
	When a member	then
1	is fined by court-martial and the fine is deducted from pay	the amount of the fine is subject to FICA tax and is not deductible from taxable FICA wages
2	is required to forfeit pay as the result of court-martial or nonjudicial punishment	the amount of pay forfeited is not subject to FICA tax and is deductible from taxable FICA wages
3	is absent without leave	the amount of basic pay deducted for this period is not subject to FICA tax.
4	is confined by civil authorities under conditions which require loss of pay	
5	is checked for excess leave	
6	is absent from duty because of injury, sickness, or hospitalization	basic pay earned or credited during such periods is subject to FICA tax.

FIGURE 8-3

D. Nonresident Alien – Tax Withholding.

1. Definition of Nonresident Alien. For purposes of Federal income tax withholding, a nonresident alien is defined as a citizen of a foreign country. **Refer any questions to Commandant (G-WPM) regarding nonresident aliens in the Coast Guard or attending the Coast Guard Academy.**

E. Advance Payment of Earned Income Credit.

1. Authority. The authority for advance payment of Earned Income Credit (EIC) is 26 U.S.C. 3507.
2. Eligibility. A member may be eligible for advance payment of EIC for the current year provided all the following requirements are met:
 - a. Annual earned income (which includes all taxable and nontaxable wages) and annual adjusted gross income is less than the annual limit established by the Internal Revenue Service on IRS Form W-5.
 - b. If married, must file a joint return or (if eligible) as head of household or qualifying widow(er).
 - c. Must not be able to exclude any income earned abroad.
 - d. At least one child will reside with the member for at least half the year including time when the child is away at school or on vacation and the child will be claimed as a dependent on the member's federal tax return.

F. Recovery of Delinquent Federal Taxes.

1. Authority. The Tax Reform Act of 1975 (Public Law 94-455) changed the Federal Tax Levy provisions. The Internal Revenue Service (IRS) will provide instructions for responding to the Notice of Levy each time a levy is delivered for execution. Each levy will continue in effect until collection is satisfied or until a release order is issued by the IRS. A purpose code "T" allotment may be used to convey payments to IRS if the collection process will remain in effect for 3 or more months. If a member voluntarily arranges with the IRS to pay delinquent taxes via "T" allotment, the member shall execute an agreement with the IRS on IRS Form 2159. Once a voluntary election is effected, the member may not cancel the "T" allotment until the tax indebtedness is completely liquidated.
2. Pay Subject to Levy.
 - a. The member's "take home pay", minus exempt amounts claimed via the member's certified claim on part 3 of IRS Form 668-W(c), shall be attached and sent to the IRS. The member's usual pay deductions will continue while the levy is in effect.

- b. Member's Service Below Standard. If the member's orders indicate that performance of duty falls below standards prescribed by the Secretary, compute payment based on one-half month basic pay of grade in which member is serving when separated multiplied by the years of active service not to exceed 18 years.
 - (1) Maximum Amount Payable. The total payment may not exceed nine months basic pay or \$15,000 whichever is less.
 - (2) Deductions. Unless refunded, reduce the payment by any prior readjustment payment(s).
- c. Available to Offset Indebtedness. READJ PAY may be used to liquidate debts to the U. S. Government.
- d. Withholding Tax. READJ PAY is subject to Federal and State income tax withholding. When the payment is reduced by previous payment (10-I-6.b.(2)), only the remainder is subject to tax.

J. Separation Pay (SEP PAY).

- 1. Authority. Under the provisions of 10 U.S.C. 1174, active duty enlisted members and Reserve officers may be entitled to a lump sum SEP PAY, provided:
 - a. The member is involuntarily (refer to section 10-I-3 and the instruction on **Eligibility of Regular and Reserve Enlisted Personnel for Separation Pay, COMDTINST 1910.1(series)** discharged, separated, or released; or
 - b. The member was not accepted for an additional tour of AD for which the member volunteered.
- 2. Who May Not Be Paid Separation Pay. Members are not entitled to SEP PAY if:
 - a. Discharged or released from AD at their request.
 - b. Release from ADT.
 - c. Upon discharge or release is immediately eligible for retired pay based on military service.
 - d. The Reserve officer declines a Regular appointment.
 - e. A determination is made by the Secretary that the member's separation does not warrant payment.
 - f. Separated as a result of execution of a court-martial sentence.
 - g. Dropped from the rolls.
 - h. Separated under other than honorable conditions.

- i. A reserve officer who was separated or discharged after 5 Nov 90 if:
 - (1) the officer was on the Active Duty List (ADL) when separated or discharged and had completed less than 5 years of AD when separated or discharged; or
 - (2) the officer was not on the ADL when separated or discharged, and had completed less than 5 years of continuous AD immediately before such separation or discharge.
 - j. A reserve officer who is separated or discharged after 5 November 1990 if:
 - (1) the officer was on the ADL when separated or discharged and had completed less than 6 years of AD when separated or discharged; or
 - (2) the officer was not on the ADL when separated or discharged and had completed less than 6 years of continuous AD immediately before such separation or discharge.
 - k. An active duty enlisted member who was discharged or separated on or before 5 Nov 1990.
 - l. An active duty enlisted member who is discharged or separated on or after 5 Nov 1990 and who had not completed at least six years of AD immediately before such discharge or release.
 - m. A Reserve officer is eligible for and elects to receive READJ PAY (refer to section 10-I).
 - n. The member is separated for unsatisfactory performance, unsuitability, or misconduct as specified in Chapter 12, Personnel Manual, COMDTINST M1000.6 (series).
3. How Active Service is Computed. Compute the years of active service in determining the multiplier in accordance with section 10-I-5. **For SEP PAY purposes, a period of active duty is continuous if it is not interrupted by a break in service of more than 30 days.**
4. How Payment is Computed.
- a. Basis For Computing. The basis for computing the payment depends upon whether or not the member has met the performance standards prescribed by the Secretary. The orders will indicate if the performance was substandard. Compute the amount as follows:
 - (1) Satisfactory.
 - (a) Years of Service (refer to section 10-J-3), times
 - (b) 12 months basic pay to which the member was entitled at time of separation, times
 - (c) 10 percent.
 - (2) Substandard Performance.
 - (a) On and before 5 Nov 1990, one-half of the amount computed in 10-J-4.a.(1), but in no event to exceed \$15,000.
 - (b) After 5 Nov 1990, one-half of the amount computed in 10-J-4.a.(1).

C. Aviation Career Incentive Pay (ACIP) and Hazardous Duty Incentive Pay for Flying Duty.

1. Effective 1 October 1991, the reserve aviation program was discontinued.
2. Prior to 1 October 1991, reserve members were entitled to ACIP and hazardous duty incentive pay for flying duty as prescribed in Chapter 5 of this Manual.

D. Special Pay.

1. Hardship Duty Pay-Location. Reserve members on active duty are entitled to HDP-Location under the condition prescribed in section 4-A of this Manual.
2. Career Sea Pay. Reserve members on active duty are entitled to CSEAPAY under the conditions prescribed in section 4-B of this Manual.
3. Hostile Fire or Imminent Danger Pay. Reserve members who serve on active duty in an imminent danger pay area for any part of a calendar month are entitled to hostile fire or imminent danger pay for that month, as prescribed in section 4-H of this Manual, provided the reservist remains entitled to active duty basic pay. If, during a calendar month, the reserve member serves in an imminent danger area, and during the same month loses entitlement to active duty basic pay, imminent danger pay will be prorated for the number of days the reservist received active duty basic pay.
4. Special Duty Assignment Pay. An enlisted reservist serving on active duty is entitled to SDAP, on a pro-rated basis, if the reservist meets the qualifications prescribed in the instruction for **Special Duty Assignment Pay (SDAP)**, COMDTINST 1430.10 (series).

E. Basic Allowance for Subsistence (BAS).

1. Active Duty With Pay. If enlisted members are not provided subsistence-in-kind they are entitled to BAS or SEPRATS as prescribed in section 3-B of this Manual. An officer is always entitled to BAS.
2. Active Duty Without Pay. Officers are entitled to BAS. Enlisted members not provided subsistence-in-kind are entitled to BAS or SEPRATS as prescribed in section 3-B of this Manual.
3. Active Duty Without Pay and Allowances. Payment of BAS/SEPRATS is not authorized.
4. IDT. An enlisted reservist who serves on IDT for eight or more hours a day, and is not provided rations-in-kind, is entitled to a commutation of rations in an amount equal to the rate of separate rations (SEPRATS) prescribed in section 3-B-2 of this Manual. The following rules apply:
 - a. Reservists are not entitled to COMRATS/SEPRATS for periods of travel to and from the drill site.
 - b. COMRATS/SEPRATS are paid per meal based on time periods during which the reservist is on duty.

- c. Reservists who live in the local commuting area are only authorized the noon meal.
 - d. Reservists who commute in excess of 50 miles one-way between their residence and their regular drill site are authorized the noon and evening meals on the first day of IDT and the morning and noon meals on the second day of IDT if they remain overnight at or near the IDT site rather than commute to and from their home.
 - e. Reservists who commute less than 50 miles are authorized the noon and evening meals on the first day of IDT and morning and noon meals on the second day of IDT if they must remain overnight at or near the IDT site due to special operations or the nature of assigned augmentation.
 - f. If the distance a reservist must travel between the permanent residence and regular drill site is such that he/she must travel on the evening prior, in order to report for duty on or before 0700 on the first drill day, and the reservist remains overnight at or near the drill site, the morning, noon, and evening meals are authorized on the first day of drill, and the morning and noon meals are authorized on the second day of drill.
 - g. If the nature of IDT duty requires that a reservist work past 1800, the evening meal is provided in addition to any other meals authorized for the day.
5. SEPRATS (T). Enlisted Reserve personnel on active duty for periods of less than 140 days are entitled to SEPRATS (T) while in a travel status. This includes periods of ADT-AT, ADSW-RC, and ADSW-AC, except:
- a. For periods of travel to and from initial active duty for training, or
 - b. Active duty performed within the local commuting area of the regular drill site, or
 - c. ADT-AT performed at a unit where Government quarters and messing are available. However, SEPRATS (T) is payable for travel to and from this unit.

F. Basic Allowance for Housing (BAH).

- 1. Active Duty With Pay. Reservists on active duty for 139 days or less who are not provided quarters in kind are entitled to BAH-II, unless the reservist is ordered to active duty in support of a contingency operation. See section 3-C-10 of this Manual.
- 2. Active Duty Without Pay. A reserve member ordered to active duty without pay who is not provided quarters in kind is entitled to BAH-II.
- 3. Active Duty Without Pay and Allowances. Payment of BAH is not authorized.
- 4. IDT. Payment of BAH is not authorized.
- 5. Annual Verification. Reservists must annually recertify their dependents as prescribed in section 3-E-7 of this Manual

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